

Africa Digest

NOVEMBER-DECEMBER 1958

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CENTRAL AFRICA The Federation

The General Election

THE result of the Election held on November 12 was a "landslide" victory for the United Federal Party, under the leadership of Sir Roy Welensky:

U.F.P.	44 seats
Dominion Party	8 "
Constitution Party	0 "
Confederate Party	0 "
Independent with D.P. support	1 "

(The old Assembly had 26 ordinary elected members; U.F.P. 22; D.P. 3; Ind. 1.)

The remaining six seats in the new Assembly will be occupied by one European to be nominated to represent African interests and two specially elected African members from Northern Rhodesia and the same from Nyasaland. In Nyasaland these will be Mr. Johannes L. Pretorius, a missionary of the Dutch Reformed Church and Messrs. M. S. Malunga (U.F.P.) and M. J. Mzembe (U.F.P.), who were returned unopposed.

Among the ordinary elected members returned unopposed for the U.F.P. were Messrs. C. J. Matinga and J. G. C. Chirgattie (African members for Nyasaland). Commenting on the result the *Times* (November 10, 1958) said: "The result is a great personal success for the Prime Minister and leader of the party, Sir Roy Welensky . . . the general election . . . has clearly revealed that the Federation is still far from becoming a satisfactory political entity. In the first place the election was fought on issues that were hardly fundamental. Secondly, and what is more disturbing, the election was almost completely ignored by the African communities in each of the three territories. With its firm basis of party support, the Government must now work to overcome the obstacles that are hindering the growth of true racial partnership in the Federation."

It referred to the boycott of the elections by Africans on the advice of Congress leaders and said: "Can these leaders be persuaded to change their attitude? Primarily what they demand is some proof of European good intentions. From this point of view it is unfortunate that the election was fought on such a narrow front, with U.F.P. candidates apparently anxious to prove that in racial matters they can be almost as conservative as the Dominion Party. Now that the Dominion Party has been so heavily defeated it is to be hoped that the U.F.P. will recognize that all European opinion in Rhodesia is not as reactionary as it feared. Certainly the complete eclipse of the liberal-minded Mr. Garfield Todd at the Southern Rhodesian elections in June leaves a gap the U.F.P. will have to fill, for it added to the Africans' gloomy forebodings that the only sort of partnership the European was interested in was one in which we retained complete control for ever. Such forebodings have probably been increased by the recent concentration of discussion on what is going to happen in 1960—'independence' and 'dominion status' have been the words used during the election campaign. Obviously in any review of the federal constitution the United Kingdom will be most concerned to find out how the development of racial partnership, upon which the whole conception of the Federation is based, is progressing. It will be upon this that the future status of the Federation is decided. Sir Roy Welensky and his Government have been

given a mandate to prove that it is not 1960 but the years before that will be decisive."

The African elected members for Northern Rhodesia were: J. J. Simukondah (U.F.P.) and G. A. M. Lewanika (U.F.P.). In Southern Rhodesia they were: J. Z. Savanhu (U.F.P.), M. M. Hove (U.F.P.), C. M. Chipunza (U.F.P.) and I. H. Samuriwo (D.P.).

After the results were known, Sir Roy Welensky issued a statement in which he said: ". . . I regard the election result as a clear indication by the voters of the Federation that they wish to see our progress towards early independence secured beyond doubt and that this must be undertaken constitutionally and with responsibility. . . . As the 1960 conference draws near, we can expect great pressure from those whose object is to prevent our gaining independence and it is not unlikely that our opponents will become more vehement in their opposition. I will not let this make me lose sight of the things that we must do in order to ensure both our progress and prosperity and our success in 1960."

"We have set ourselves to build up a country in which there is opportunity for all regardless of race on the basis of partnership between the races . . . the coming years will see more and more attempts to get us to bargain away the standards we have set in return for political appeasement; I will oppose these with every legitimate means at my command." (*Federation Newsletter*, November 14, 1958.)

The Voting Rolls

For the elections there were 88,044 general voters and less than 1,000 special voters registered.

The details of the general voters were:

	1958	1953	Average size of constituency 1958
Southern Rhodesia	65,092	50,474	2,712 (24 seats)
Northern Rhodesia	20,452	15,447	1,461 (14 seats)
Nyasaland	2,500	1,058	416 (6 seats)
Federation	88,044	66,979	2,001 (44 seats)

The largest constituency was Mount Pleasant, Salisbury, S.R., with 3,663 voters; the smallest Luchenza, Nyasaland, where Sir Malcolm Barrow was returned unopposed had 348 registered general voters. There were 1,039 Africans on the general roll for the whole Federation.

On the special roll there were in Southern Rhodesia 804, of whom 628 were Africans, in Northern Rhodesia less than 100 of whom 53 were Africans, in Nyasaland 20 of whom 11 were Africans. (In 1957 it was estimated that the Africans qualified to register were Southern Rhodesia 30,000, Northern Rhodesia 21,000, Nyasaland 7,000.)

The *Manchester Guardian* (October 28) posed the question: "Why have so few taken the trouble to register? Partly, no doubt, because they believe that a minority of African members must necessarily be isolated and ineffectual in Parliament; we think this view is mistaken, but perhaps the experience of African members in the legislature so far has given it colour. But the main reason is probably the influence of the nationalist, or rather racialist, leaders, particularly in the African National Congresses of Northern Rhodesia and of Nyasaland, who would rather hold aloof altogether until they can grasp power with both hands. These minute special rolls will serve their purpose very well. Such Africans as are elected can be dismissed or derided as stooges and self-seekers, utterly unrepre-

sentative of African opinion, while the Congress leaders consolidate support for their negative policy.

In a reply (November 3, 1958) Mr. Enoch Dumbutsnena, a Southern Rhodesian African journalist, wrote: "Sir Roy Welensky is reported to have said, 'It was apathy which kept Africans off the roll'. There is, however, far more to it than mere apathy. None of the people we took to registering offices wanted to fill a Federal voter's registration form, because the Federal Electoral Act has created an inferior type of special voter to that in Southern Rhodesia. They dislike the *apartheid* aspect of the Federal Act. That there are today on the Federal special roll 642 Africans is accounted for by the fact that those registered under the Southern Rhodesia law were automatically transferred to the Federal special voters' roll . . .

"Another snag which we found in attempting to enrol Africans was the African's fear of the police, magistrates and native commissioners, who have now been made registering officers. The African meets these people when he has committed some offence. There is no spirit of friendship between these officers of the law and the Africans. A person intending to become a voter now has to visit the offices of these officials. Under the old Southern Rhodesian Electoral Act an intending voter filled in a form in his own house. My experience is that it was easy to interest Africans, under the old law, in becoming voters. It is twice as difficult to become a voter now as it was before the new Southern Rhodesia law and the Federal Electoral Act. Monetary qualifications are higher, educational qualifications are now discriminatory, and conditions such as continued receiving of a certain wage for a period of not less than two years stand in the way of many would-be voters."

The Federation and Independence

The Federal Prime Minister, Sir Roy Welensky, said that if the Federal Government failed in its object at the 1960 talks—though he did not believe it would—he would be prepared to come back to the people of the country and ask them what they wanted done. "I believe the major hurdle in 1960 is for us to produce a system which will see that the obligations the British Government have entered into for the protected people of the two Northern Territories can be honoured.

"I am personally quite satisfied the British Government and the Opposition would not be averse to the Federation moving on to independence, providing the obligations entered into in the past could be honoured."

Sir Roy said he had inferred from remarks by the Labour Party leader, Mr. James Callaghan, that if the Labour Party came to power it would abrogate an agreement made last year. It was the agreement, he said, under which the British Government had power to legislate in the Federal field but would not do so except at the request of the Federal Government. In return for that, the Federal Government made certain concessions, including treating protected persons as Federal citizens.

Sir Roy described as "an affront to the intelligence of the electorate" the Dominion Party suggestion that if the British Government persisted with its proposals for amending the Northern Rhodesia constitution, the party would declare a state of independence forthwith.

"If this is the kind of thing that one must be told is policy by a party who hopes to become the Government of the Federation, what can one expect from certain African leaders?" he asked.

If the Dominion Party was telling the public that it could implement a declaration of independence in the circumstances that now existed in the Federation, what was to stop the head of the Nyasaland African National Congress, Dr. Banda, from saying that he would carry out a referendum in Nyasaland, and if the referendum was successful declare a republic or an independent state in Nyasaland. The same could apply to Mr. Harry Nkumbula, the Congress leader in Northern Rhodesia, said Sir Roy.

Mr. W. H. Eastwood, the Federal Minister of Transport and Works said that the Federal Government in 1960 could not go to London for talks on dominion status waving a knobkerrie. "If the United Federal Party is in power in 1960 they will do their utmost to secure complete self-government for Northern Rhodesia and Nyasaland. We shall endeavour to get rid of the last vestige of colonial control in these territories," he said.

The Dominion Party leader, Mr. Winston Field, said that if it put the

question of independence to a referendum the party would accept a "substantial" majority, and not necessarily a two-thirds majority to put its plans into effect. He was replying to a series of questions of the party's policy for attaining independence. He said that if, after a declaration of independence had been passed by Parliament, the Governor-General refused to forward the resolution to the Queen, then it would, as there was the right to do, be sent direct to the Queen. (*Pretoria News*, October 22 and 23, 1958.)

Speaking earlier in Southern Rhodesia Sir Roy Welensky said that the British Government could be satisfied that her obligations towards the protectorate people would be met by the Federal Government.

"I believe that this can be achieved by a form of treaty between Britain and the Federal Governments. These matters refer specifically to land and political rights. We have an unanswerable case for the granting of full status. The British Government in the last few years has seen fit to grant independence to at least one State on the African Continent which has shown quite clearly by its actions that it has certainly not absorbed what I consider to be the basic principles of a democratic state. . . .

"I believe that events have proved, since the granting of independence to this country, that they are nowhere near the standard of political progress and integrity that we enjoy in the Federation. So why should we hold back?" Sir Roy added: "I have been watching negotiations between Nigeria and the British Government with some interest. I hope I shall not be told that we have not reached a more advanced stage than they have." (*Rhodesia Herald*, October 18, 1958.)

Sir Roy also gave an assurance that if it were in power, his Government would consult all interested parties before taking part in the 1960 constitutional review talks. Their aim would be to gain complete independence for the Federation, within the Commonwealth, in the shortest possible time. The pre-conference consultations would be with the Opposition parties in Parliament, and representatives of African interests. Public opinion would also be taken fully into account. (*Rhodesia Herald*, September 25, 1958.)

African Affairs Board Criticized and Defended

Sir Roy Welensky, Federal Prime Minister, said in Mufulira that he believed the African Affairs Board had done a great deal of harm by the attitude displayed under the leadership of Sir John Moffat. "I have never been critical of Sir John, but I want to say this—I have never said it in public before—I would never have proceeded with the introduction of a measure such as federal franchise if I had not had considerable agreement with the United Kingdom Government," Sir Roy said. "That is basic when the United Kingdom Government has the power of veto which it has at the moment. The African Affairs Board must have realized that this measure was to a large extent agreed to and yet it tried to kill it, with the result that the Board is now very much discredited." (*South Africa*, September 20, 1958.)

In reply, the Rev. Andrew Doig, who earlier this year resigned as special European member representing Nyasaland Africans' interest,¹ wrote in *East Africa and Rhodesia* (September 25, 1958): "Here we have it suggested that in any measure that has been a matter of discussion and agreement between the Imperial and Federal Governments, the board, whatever it may think of the measure, should remain silent.

"This makes complete nonsense of the constitutional position of the board. How can a board discredit itself by carrying out the precise duty laid upon it by the Constitution to reserve any measure which in the opinion of its members is disadvantageous to Africans? Any discrediting must surely depend on the way in which the board's constitutional act is dealt with. In this case it is the Imperial and Federal Governments between them who have left the African Affairs Board revealed as completely ineffective as a safeguard of African interests—a serious situation to have created at this stage."

The *Central African Examiner* (August 30, 1958) asked the question whether the Board had served any useful purpose and went on: "The fairest assessment is that the African Affairs Board has served an extremely useful purpose because its very existence has compelled the Government to take special care to see that none of its legislation is racially discriminatory.

¹DIGEST VI, I.

In the first five years of Federation, with all its great volume of legislation, the Board has approved every Bill except two (the Constitution Amendment and Electoral Bills) and every Regulation except one (a Defence Regulation to which the Board withdrew its objection after correspondence with the Prime Minister). This is a measure of the circumspection with which the Government has acted, having regard to the Board's existence.

"In the Second Federal Parliament it will again serve a useful purpose, especially when the Federal Public Service Bill comes before the House. There is a widespread feeling that the present Federal Public Service Regulations discriminate, in some instances, against Africans, Coloureds and Asians. The continued presence of the African Affairs Board should ensure that the Public Service Act contains no such discriminatory clauses. But the experience of the Constitution Amendment Bill and the Electoral Bill should convince the Board that it can achieve more by negotiation in Salisbury than by protest to London."

Lord Malvern's Retirement Message

Lord Malvern, former Premier of Southern Rhodesia and of the Federation and former Minister of Native Affairs, on retiring from political life said: "The prospects for the future are indeed bright especially on the economic side, that is in material well being and can only be spoilt either by the fear some Europeans have of the Africans or the fear some Africans have of the Europeans; fortunately in both cases it is a minority opinion."

"The franchise was always open to the African in Southern Rhodesia, the basis for qualifying has now been widened and assuming that the African has the same potential capabilities as the European it would appear that subject to the African co-operating with the rest they will take an ever increasing share in framing Government policy and then be appointed Members of the Government. Owing to the large number of Africans in Nyasaland I see no point or purpose in the clamour on racial grounds for secession from the Federation seeing that in the normal course Nyasaland is likely to be the first Territory to have an African Minister to be followed by an African Prime Minister...."

"The position in our Federal area is favourable for the Africans so long as they continue to advance and co-operate with all the other races living here. I realize that some patience is necessary in the same way that patience is necessary in completing any great undertaking. This statement lays me open to the gibe in the verse that ends: 'The butterfly upon the road preaches contentment to the toad'.

"I risk the gibe because patience and tolerance all round is going to be one of the most important virtues if partnership is to be realized to the full. From the vantage point of a doctor and one who has been a M.P. for 35 years and a Minister of the Crown for 23 years I have had ample opportunity of observing race relations and the very great improvement that has taken place in the attitude of the European in all these matters during the last 10 to 15 years; there are of course some who have not changed but on the other hand the attitude of the African, for the most part but not all, has been the reverse, and that makes the position of the European who wishes to regard the advancement of the African in every way in a favourable light, difficult and detrimental to all of us." (*African Weekly*, September 24, 1958.)

Kariba

Eight Africans were killed and twenty-two injured by police in the Gwembe Valley of Northern Rhodesia. They were members of a tribe who have refused to move away from the area near the Kariba Dam which is to be flooded. Police reinforcements went to the aid of officials of the Gwembe-Tonga native authority, who met armed resistance when they attempted to enforce an eviction order. An official statement said the villagers made "determined charges" against the police and threw spears at them. One policeman was slightly injured. More than twenty-four arrests were made. (*Manchester Guardian*, September 11, 1958.)

Mr. John Rex wrote: "When the scheme for Central African Federation was agreed to in Britain one of the arguments advanced in its favour was the alleged benefit which Federal economic development would bring. Few people in this country could have realized that this meant the forcible removal of tens of thousands of people without consultation and without effective guarantees as to their future. Yet this is what has happened

at Kariba. It has ended with the killing of eight Tonga tribesmen.

"It is easy enough for the sensational Press to write up the story of the battles which have been fought as the stubborn resistance of ignorant and superstitious tribesmen. The facts are that African leaders were not consulted about these removals. Congress leaders were banned from seeing the people affected and Mr. Nkumbula was refused an interview with Mr. Lennox-Boyd about the matter.

"The intention from the beginning has been to ignore African opinion and rely ultimately on force to carry out this European sponsored scheme. Even if it were shown that the Kariba scheme was for the benefit of Africans as well as Europeans—and this has not yet been done to the Africans satisfaction—these killings would be deplorable.

"Sir Roy Welensky's Government should be given clearly to understand that the use of the methods of Stalin to further Rhodesia's economic development will not be supported in this country. Surely the Colonial Office, which is still responsible for the welfare of Northern Rhodesia's African people will intervene to prevent further violence."

Mr. A. Mayanja wrote: "It is impossible to resist the conclusion that the object of this murder is to terrorize the Africans who have been marshalling their opposition to the final act of betrayal when the British Government hands them over to Sir Roy Welensky in 1960. Indeed, it is significant that the Government of Northern Rhodesia has not hesitated to blame the African National Congress for influencing those who resisted.

"Yet the fact is that 50,000 Africans are being moved from their homes. Fifty thousand is more than the total number of Europeans in Kenya. When 'gangsters', attacked police with knives and bottles in this country during the recent racial riots, no fire was opened on the attackers by the police. But the representatives of civilization in Africa find guns more persuasive. It is no exaggeration to say that Africans everywhere are watching with mounting anger the treatment which their brethren in the Federation are receiving."

In reply, Mr. J. H. Wallace, Commissioner for Northern Rhodesia in the U.K., said: "The African leaders in that part of the Zambezi Valley are the Gwembe-Tonga Native Authority. This native authority has not only been consulted from the outset—a matter of years now—but has agreed with the plans for the resettlement of the people and has co-operated in the execution of the plans.

"Some 15,000 Africans (more than half of the total number) have already moved and the fact that they moved peaceably gives the lie most effectively to Mr. Rex's remarks. Exceptional steps have been taken by the Government continuously for the last two and a half years to explain the necessity for the move and to provide suitable village sites and gardens above the eventual water level.

"In addition, shortly before the unfortunate happenings last week the Governor of Northern Rhodesia himself visited the Gwembe Valley to impress upon a group of recalcitrant Africans the urgency for their people to move as otherwise their lives would be endangered by the flooding of the area within the next few months. The Governor, during his visit, said he was prepared to leave the able-bodied men to fend for themselves provided the women and children, the aged and infirm, moved immediately, but this was rejected.

"Mr. Rex attacks Sir Roy Welensky and the Federal Government. While the Federal Government is responsible for the Kariba project, the responsibility for the resettlement of the Africans living on the north bank of the Zambezi is solely that of the Northern Rhodesia Government (for those on the south bank it is the responsibility of the Southern Rhodesia Government); resettlement is in no way the responsibility of the Federal Government."

Commander T. Fox-Pitt commented on Mr. Wallace's statement that the Native Authority had been consulted: "This was confirmed by a member of this authority whom I met when he visited this country a year ago, but with a difference. He agreed that the Native Authority had been consulted about the method of their eviction. They had naturally not been consulted as to whether they should be flooded out of their homes or not.

"He said that the alternatives which faced Africans in the valley were either to take the 'Congress' line of opposing on principle an evacuation of 50,000 people whose consent had never been sought or to bargain with the Government to get the best terms possible for the resettlement of their

people. He had taken the second line but he was no longer certain that he was right. He said that much that was being promised by the Government was not being fulfilled."

Cdr. Fox-Pitt then mentioned inadequate compensation, inadequate wells and boreholes, insufficient dams, tsetse fly infestation, depredation by wild game, etc.

In reply, Mr. Wallace wrote: "The Federal Power Board has agreed to meet the actual sum required for individual compensation in respect of homesteads, gardens, and crops under production. The total is estimated to be £330,000 or just over £10 per head of population to be moved. In addition, there will be bulk compensation to the tribe to cover loss of amenities, hardship, etc., and this is still being negotiated with the Power Board." Wells and boreholes were being constructed. "There have of course been some teething troubles, but these are being overcome satisfactorily." The water supply programme, tsetse fly clearing, game and vermin control were all making satisfactory progress. (*Manchester Guardian*, September 14, 16, 22 and 29, 1958.)

The *Times* (September 29, 1958) commented: "The Governor, Sir Arthur Benson, has blamed the 'evil men' of the African Congress for spreading tales that the whole operation is a White plot to deprive the African tribesmen of their land. He has appointed a commission to inquire into the shootings. No doubt it will consider other, less fantastic allegations: that the Africans were not consulted about the Kariba dam project; that they are not being adequately compensated for having to move; that an abundance of game in their new areas will bring a plague of tsetse flies; and that water supplies in these areas are inadequate."

Mr. H. J. Quinton, Parliamentary Secretary to the Southern Rhodesian Ministry of Native Affairs, after a visit to the south bank said he found no effect following the recent trouble on the north bank from the Gwembe tribe. "I met about 80 per cent of the chiefs and they were perfectly satisfied with the move. They said they felt the Government had been fair to them in feeding them for two years until they were established and in not making them pay tax for two years. I have every hope the Batonga will be self-supporting by the end of this year."

Mr. Quinton said that during the move the Government had been sending in to the resettlement area some 20,000 bags of maize and 5,000 bags of munga a year. (*Rhodesia Herald*, October 2, 1958.)

Northern Rhodesia

Outcry Against Constitutional Proposals¹

BOTH European and African spokesmen attacked vigorously the proposals for constitutional reform put forward by the Colonial Secretary, part of which has been formally enacted as the Legislative Council Ordinance, 1958.

In a long statement on behalf of the Federal Government, Sir Roy Welensky said: "The Federal Government considers that the proposals are fundamentally unacceptable to all races in Northern Rhodesia because they represent no advance towards responsible government. For some years now there have been a few elected members appointed to hold ministerial office. These men have adequately demonstrated that they are fully capable of discharging their responsibilities. It was to be expected that in anticipation of constitutional advance for the Federation as a whole, Northern Rhodesia would make an advance towards the position where the leader of the political party returned in a majority at a general election would be able to obtain a large, if not a complete, say in the appointment of the Ministry and a greater participation by members of his team in government....

"Under the proposals announced by the Secretary of State elected members of the Legislative Council are guaranteed no more than four seats out of eleven on the Executive Council. Not only does this arrangement give insufficient weight in the Government to elected representatives at this stage of constitutional development in Northern Rhodesia but it gives no encouragement whatever to the development of a broad based Party system, since no party can go to the electorate with a policy which it can promise to put into effect if it is returned with a majority at the polls....

¹DIGEST VI, 2

"The Federal Government is not opposed to Africans on their merits being selected as Ministers to participate in government—that is to say if they are chosen on the basis of ability and responsibility in open competition with other possible candidates—but the Federal Government is astounded that the authors of the present proposals can show so little regard for principles which they profess to uphold as to insist on the appointment of ministers on the basis of race. What is proposed cuts clean across the concept of non-racial politics and principles which the Federal Government believes are fundamental to the development of harmonious race relations in this part of Africa. It offends against the principle of responsible government and in the broader context against the principle of recognizing a man's merit rather than his colour. It is true that in other parts of Africa Ministers have been appointed as direct representatives of their race to Executive Council—with questionable success. In any event, conditions here are different. The Federal constitution lays down an important principle applied in terms only to the public service but obviously of application, *a fortiori*, to the Government itself: 'in appointing or recommending any person for employment, regard shall be had only to his competence, experience and suitability.' What is proposed in regard to the composition of the Executive Council in Northern Rhodesia is a flat betrayal of that principle, and is the open application of the colour bar in reverse....

"The balance which the Secretary of State apparently considers it necessary to establish in Executive Council, apart from being curiously at odds with advanced democratic principle, will, of course, create an absurdly top-heavy Government machine. It is not remotely tenable that the responsibilities of the Northern Rhodesia Government warrant the appointment of ten Ministers of Executive Council rank plus a Chief Executive with overall powers, or that ten Ministers in a Legislature of thirty represent a suitable proportion between front and back benches."

The *Rhodesia Sunday Mail* (September 21, 1958) added: "We do not believe that Elected Members can be expected to co-operate in a constitution which deliberately insists on racial representation, irrespective of merit, in the Executive Council; which could, in certain circumstances, place sole power in the hands of the Governor; which could give the African National Congress, through intimidation or persuasion, the last say in special constituencies, and which will allow that Congress, through a clause so far not mentioned publicly, to ensure that at no time in the future will it be possible to bring about the evolution of the special franchise, which was one of the few worthwhile proposals in the original plan.

"When Sir Roy described these constitutional proposals as a 'flat betrayal' and an 'open application of the colour bar in reverse' he was very nearly guilty of an understatement."

The proposals were described by Mr. John Gaunt, Independent Member of the Northern Rhodesia Legislative Council as "a gross and deliberate betrayal of White civilization in Northern Rhodesia." (*Manchester Guardian*, September 19, 1958.) They were also criticized by Mr. Garfield Todd, leader of the United Rhodesia Party and former Prime Minister of Southern Rhodesia. (*Rhodesia Herald*, September 19, 1958.)

In reply to a cable from Mr. John Roberts, Leader of the United Federal Party in Northern Rhodesia, Mr. Lennox-Boyd said his mind is "certainly not closed on the question of the Northern Rhodesian Constitution" and that he is willing to receive further representations. (*Manchester Guardian*, September 27, 1958.)

Sir Roy Welensky announced that if his party were returned to power at the Federal election he would visit London at the invitation of the U.K. Government. He added: "It is clear that the British Government have decided to defer the implementation of the Northern Rhodesia constitutional proposals until after they heard the Federal Government's view. I have already given my opinion on the proposals, and there can be no doubt about what representations I will make."

On the African side, the members of Legislative Council expressed bitter disappointment that the plans were "a betrayal of Africans to White settlers". They claimed that their demand for parity of unofficial representation in the Legislative Council and Executive Council had been totally ignored. They welcomed the suggestion that two African Ministers should serve on the Executive Council, but added: "Europeans, who are a minority of the community, have no justification to continue dominating African

interests. We claim that Africans can administer just as well, if not better, than some of the European deadwood in the present Legislative Council." (*The Times*, September 26, 1958.)

The African Representative Council adopted without dissent a resolution in which they demanded reconsideration by the Colonial Secretary, Mr. Lennox-Boyd, of constitutional proposals for the territory. Mr. P. Sokota, M.L.C., said that the qualifications required of African voters were too restrictive and should be extended to provide better representation for the African masses who were in the majority in the population. Mr. Sokota said that account should be taken of the general levels of African wages and the requirements modified accordingly. Thousands of Africans in urban areas along the line of rail would be deprived of the franchise because they lacked the property qualification. The African view that the Federal Prime Minister was interfering in the local affairs of Africans in the territory should be conveyed to the Colonial Secretary.

Mr. S. Chileshe, M.L.C., expressed fear that European political parties might by 1960 mobilize sufficient strength to persuade the Colonial Secretary that the future of protected persons in Northern Rhodesia could be entrusted to their hands. In such circumstances events might follow the course of those in South Africa. Eventually Africans might have no voice in affairs. Neither U.F.P. nor Dominion Party knew what partnership meant.

Mr. R. Nabulyato, M.L.C., declared that in the past official members had been the protection of Africans and it was worrying that their numbers were now to be reduced. A logical consequence of the change should have been a greater increase in African representation. He expressed disquiet about the intentions of European parties in the territory and added "Anyone reading the statements made will not help feeling that Northern Rhodesia is going the Southern Rhodesian way and, for that matter, even the South African way. If we keep quiet while we are suffocated there will be worse troubles."

Mr. L. Katilungu, who attended as a delegate from the Western Province, appealed for better representation of Copperbelt Africans who were now forming a stable community in an industrial area on which continued prosperity of the territory depended. (*N.R. Press Communiqué*, October 21 and 22, 1958.)

Change in Federal African Election System¹

The Governor of Northern Rhodesia, Sir Arthur Benson, has decided not to designate the African Representative Council as a body representative of Africans for the election of two specially elected African members of the Federal Assembly from Northern Rhodesia. The reasons given in the official statement were: "In the first place there is now in existence a roll of registered voters for the Federal Assembly which contains a number (unfortunately a very small number) of names of Africans who have registered themselves as voters. Secondly, His Excellency considers that the African Representative Council as it is at present constituted can no longer be said to be as representative of Africans throughout the territory as it was. It is, when all is said and done, a small body consisting of only thirty-four members; and the last four-and-a-half years have seen a considerable increase in the awareness of the African population of this territory to affairs which lie within the jurisdiction of the Federal Assembly. In these circumstances His Excellency considers that it is asking too much of a mere thirty-four members to represent as the final electoral college nearly two million African people.

"Finally, His Excellency has taken note, with regret, of the fact that at its last meeting the African Representative Council passed, with only one dissentient voice, the following resolution:

"That in view of the motion passed by African Representative Council that Northern Rhodesia should secede from the Federation, this Council is of strong opinion that there is no need to elect African members to go to the Federal Parliament."

"Instead, the body representative of Africans, Article 13(2) of the Federal Constitution, will now consist of: all members of African Provincial Councils; nineteen members of the Superior Native Authority of the Barotseland Protectorate; and all Africans whose names appear either as general or as special voters on the electoral roll for the Federal Assembly.

¹Cf. for Nyasaland, DIGEST VI, 2.

"This will make up a body of over 250 persons.

"All members of the African Representative Council are also members of an African Provincial Council or of the Superior Native Authority of Barotseland. No disenfranchisement, therefore, will occur." (*Northern Rhodesian Press Release*, October 4, 1958.)

Self-Government and Secession

In the Legislative Council Mr. John Gaunt moved a resolution "that this Council, having considered the financial, social and economic progress made by this Territory, considers that, if self-government is not granted in 1959, it should be granted not later than the 1st January, 1962". He added, "There is obviously no question of self-government being granted in 1959. . . . I hope that Hon. Members will not try and make debating points by saying, 'Do I mean self-government handed over to the Africans?' —No, I do not." After the seconder, Mr. Derby, had made it clear that he seconded only for the sake of "a gentleman's agreement" an amendment to the effect that "as talks, due to commence in 1960, on the constitutional position of the Federation will inevitably involve discussion on the question of self-government for Northern Rhodesia, and owing to the present lack of knowledge as to the form any self-government might take, this Council considers it would be premature to express a firm opinion on the matter at this stage" was lost by 9 votes to 16. The original motion was also negatived. Mr. Gaunt being the only member to vote in favour of it.

Immediately afterwards Mr. R. Nabulyato (African Member) moved "that this Council, in view of political moves in this Territory aimed at terminating the ultimate responsibility of Her Majesty's Government for the government and administration of this Territory, and in view of the fact that the African population of this Territory was and is opposed to the Federation of Rhodesia and Nyasaland, urges the Government to press during the constitutional discussions which are due to take place in 1960 for Northern Rhodesia to be permitted to secede from the Federation". He pointed out that this motion had been passed by the Provincial Councils and the African Representative Council. In his speech Mr. Nabulyato said: "If we are to advance at all in the way we think, in the way the Colonial Office has tried to advance this country, well it is much better that we get out of the Federation in order to enjoy our own, one day, demanding self-government as a joint community not as self-government demanded to-day by one section of the community." The Chief Secretary, Mr. Hone, in reply said that the motion was not acceptable because it asked the Government to press for secession. He went on: "In 1960 I have no doubt whatever that all shades of opinion in Northern Rhodesia will in some form or other be represented and certainly nobody is going to be prevented from putting forward a point of view. If Africans at that time are still of the view that they are to-day with regard to the continued existence of the Federation I have no doubt whatever that they will say so, and whether this motion is passed or not no gag will be applied to them." Mr. Macrae (African Interests) said: "We have got Federation. It is now a thing of the past and we have just got to stick to it whether we like it or not," and added: "I think it is a great pity that the hon. mover worded this motion in the way that he did. . . . If he had not put in the word, 'press'; if he had just asked that it be discussed, as obviously it will be because nobody is going to stifle discussion, I would have been quite happy to vote for the motion because it would simply be asking for something which I am quite certain will happen anyway. In 1960 it will be discussed. Everybody will hammer this out all round the place and it will get a thorough airing; and if the motion had been put in that way I could have voted for it, but unfortunately I cannot vote for this one which asks Government to press for it." Mr. H. Franklin, Minister for Education and Social Services, opposing the motion said: "If Federation were to break up would the African people like to see Southern Rhodesia go in with the Union of South Africa—the two and a half million Southern Rhodesian Africans? I do not want to press that subject for obvious reasons. But I wonder if the Africans would like to see that happen. And I cannot see that anything else could happen because Southern Rhodesia does not appear to be viable alone. . . . I do not like voting for something that is impracticable because I am quite certain that even if this Government did urge secession, that no British Government whether it were Labour or Conservative would ever grant it. After all the Federation is the creation of the British

Government and it was as much the creation of the Labour Party as it was of the Conservative Party. . . . I will admit that it does not seem to me that the Federal Government has made any very great efforts to win support from the Africans. And I can well understand that on the short-term view with the figures the Financial Secretary has given of the money that we are paying away for the support of the other two countries, that with all sorts of things like the appalling, what shall I say, let down of Kariba, that at the moment there is a good deal of sore feeling, but we have to look a long way ahead. And it seems to me that what Africans should do is to use their maximum efforts now and in 1960 not to do something impractical and something that will be damaging, but to see that Northern Rhodesia gets a better deal out of the Federation, and instead of boycotting the federal elections, the Africans should use their very considerable power with the numbers in that House that they will have to get the industrial and other colour bars abolished and to get their rights in the economic, political and social spheres." Mr. J. Gaunt pointed out that there was a minority of Europeans in Northern Rhodesia "who would like to see secession, quite apart from those who regard it from a racial point of view only. There are a number who sincerely think that if Northern Rhodesia were left on its own that with its economic wealth it would be in every sense of the word much better off." He said: "It may be that the Federation may have to change in form, but it must be a Federation." The motion was defeated, there being only three members in favour of it (Messrs. Nabulyato, Chileshe, Sokota). (N.R. *Hansard*, August 20, 26 and 28, 1958.)

Copperbelt Strike Ended¹

After two days of high-level negotiations in Kitwe under the chairmanship of Sir Arthur Benson, the Governor of Northern Rhodesia, the copper companies and the European Mineworkers' Union reached agreement for a return to work of the 4,000 daily paid employees of the copper industry.

The strike followed a dispute over whether skilled or semi-skilled workers should do certain jobs. About 160,000 miners and their families were affected, including 120,000 Africans who lost their jobs as a result of the strike.

The main clauses in the agreement provided that all jobs already agreed to, including those tentatively agreed under the chairmanship of Lt.-Col. S. F. Gauron, the Government negotiator, may be implemented by the companies: that where no agreement is reached but the job is considered essential by the companies it will be carried out by union members until the outcome of further discussions is known: the union and companies will meet under the chairmanship of Colonel Gauron to reconsider the jobs in dispute.

Sir Arthur Benson said that the success achieved was due to the work of Colonel Gauron during previous negotiations and to Sir Roy Welensky, Prime Minister of the Rhodesian Federation. (*The Times* and *Manchester Guardian*, November 5, 1958.)

The strike lasted fifty-three days. Sir Roy Welensky intervened at one stage, asking that "both the mineworkers' union and the companies should in their own and in the national interest agree to return to work".

Sir Roy Welensky said that as Federal Prime Minister he had no right to intervene in an industrial dispute, and in normal circumstances he would have continued to be silent on the issues involved in the strike. The hard fact, however, was that he could not as Prime Minister of the Federation stand by and see the present grave situation continue whereby a major industry of the Federation had ceased to operate and thousands of workers, White and Black, were out of work. (*The Times*, October 28, 1958.)

Earlier the African Mineworkers' Union announced that it would take legal action for breach of contract. They argued that since they were employed on a "ticket to ticket" basis, each ticket covering thirty working days, they were entitled to 30 days' notice and should not have been laid off, as daily paid men at twenty-four hours' notice. The cost of the claim was estimated at £500,000. A similar protest was made by the African union at the time of the Honeyman Commission last year, but on this matter the commissioners were indefinite, merely stating that they did not wish to anticipate the jurisdiction of the courts on a legal question of this kind. (*The Times*, September 17 and 24, 1958.)

The companies offered to pay all married Africans a subsistence allowance of 3s. 6d. a day and single men 2s. 6d. while they are laid off work, but this has been rejected by the union. (*Manchester Guardian*, September 25, 1958.)

The *Manchester Guardian* (November 8, 1958) commented: "One of the most important conclusions which emerges from the strike is that while the European Mineworkers' Union has no leaders who can truly be called moderate, its general secretary, Mr. Jack Purvis, is certainly the least immoderate of them all. . . .

"Mr. van Niekerk spent the final weeks of the strike travelling between the Copperbelt and Johannesburg attempting to raise financial support for the strikers from the South African trade unions. Just before the strike ended they were reported to have promised him £30,000 a week—a sum which would be sufficient to support the strike more or less indefinitely.

"To those who know the South African trade unions, such a report is utterly incredible, but it indicates the length to which van Niekerk and his friends are prepared to go to attain their ends. It is also significant that, while European leaders in the Federation, including Sir Roy Welensky, frequently accuse the Africans of 'looking over their shoulders to London' they are not set much of an example by the likes of van Niekerk, who at the first sign of trouble runs to Johannesburg. . . .

"A feature of the strike has been the exemplary behaviour of the 35,000 African miners who have been laid off for the full eight weeks. Their demand for increases is due to come to conciliation shortly. Meanwhile, representatives of the companies and the European union are to meet next week to discuss changes in their negotiating machinery."

Split in Congress

Mr. Harry Nkumbula, president-general of the African National Congress, having resigned and submitted himself for re-election, was unanimously re-elected president-general. Mr. Kenneth Kaunda, the secretary-general, and Mr. Simon Kapwepwe, the treasurer-general, were expelled. Two days earlier they had walked out of an executive committee meeting which had been called to try to heal the split. Shortly after the resolution expelling them had been passed they informed the Congress by letter that they had resigned. They are forming a new body which will be called the Zambezi African National Congress. (*East Africa and Rhodesia*, November 6, 1958.)

Union Accepts Ban¹

The Northern Rhodesian Mineworkers' Union appointed Mr. Jack Purvis, its president, to be full-time paid general secretary. Mr. Purvis had been acting general secretary of the union since the Federal Government of Rhodesia and Nyasaland refused to grant a residence permit to Mr. Albert Lewis, the British Trades Union Congress official who had been chosen for the post earlier in the year.

The Federal Government gave no reason for refusing the permit, but indicated privately to the union that the reason was Lewis's alleged former Communist affiliations. The appointment of Mr. Purvis means that the union has abandoned its attempts to persuade the Government to change its mind and admit Mr. Lewis. (*Manchester Guardian*, October 1, 1958.)

Sabotage and State of Emergency

The Governor has declared a state of emergency along the whole length of the railway reserve in the territory and made Emergency Regulations to deal with the situation. While the Emergency Regulations remain in force it will be an offence punishable with death to sabotage, or attempt to sabotage, the railway line, railway engines or rolling stock, or to abet such an act.

Mr. Lennox-Boyd, the Colonial Secretary, said in reply to a question from Mr. Creech-Jones that this followed an incident when a railway train carrying 300 passengers was derailed in circumstances clearly indicating sabotage. This was the second derailment by deliberate sabotage in less than twelve months. (*Hansard*, November 4, 1958.)

¹DIGEST VI, 2

¹DIGEST VI, 1

Nyasaland

An Independent Nyasaland

DR. HASTINGS K. BANDA, president of the Nyasaland African Congress, said "Nyasaland must break away from Federation—and the sooner the better for all races now living in this country. I am determined to bring this about and I do not care what I have to suffer in doing so. . . . The era of the country squire who owned vast estates and employed many servants in Britain is dying. And the Whites have another think coming if they want to start that sort of thing here. In the Nyasaland of the future Black and White must work together and if the European does not like that then he must go. I know of many already here who will stay when this country gains its freedom. . . . No one and nothing is going to stand in the way of our achieving our independence. I want self-rule for Nyasaland by negotiation. The Nyasas are united on this issue, make no mistake about that." The machinery of government will include Europeans "who are willing to serve in a developing country". Europeans from Britain and various countries on the Continent will be recruited for specific jobs in the Territory. "I know of many young Britons who are only too willing to serve Nyasaland." An independent Nyasaland will attract more industries and friends than she has now. Independent Nyasaland will also remain in the Commonwealth. (*Rhodesia Herald*, October 18, 1958.)

The United Rhodesia Party sent a fact finding mission of four members (Mr. R. S. Garfield Todd, Mr. Eric Palmer, a former M.P., Mr. J. H. Krikler, and Mr. Stanlake Samkange, an African journalist) to Nyasaland. In their report they said: "It was extremely satisfactory to find that there was a large body of opinion in each section of the community which desired to make federation a success and recognized that this could only be achieved by vigorously pursuing a policy of partnership. Among the African people there appeared to be the fear of European domination, as instanced by the Southern Rhodesia pass laws. Nyasaland was a very happy country and apart from the aggressive Congress agitation to secede from the Federation, race relations were much as they had always been. Positive action now would materially assist in maintaining these happy relations." (*Rhodesia Herald*, September 3, 1958.)

Mr. Todd also said that a few thousand Europeans in Nyasaland under the British could not hope to hold the Government in their hands. But, he asked, was there any reason to believe that Europeans would not be able to continue to live and enjoy full freedom in Nyasaland, when the Colonial Office eventually handed over control to the local people? It was to be expected that as the years passed and the Native people of Nyasaland showed themselves ready for government, there should be a Native government in the protectorate. Mr. Todd said that such a government in Nyasaland should receive every assistance from the Federal Government.

The Federation could and must be maintained. Talk of Nyasaland seceding was in the worst interests of all. Yet in Nyasaland today the African Congress was being shaped and hardened into an instrument sharp enough to amputate Nyasaland from the Federation. (*Pretoria News*, September 19, 1958.)

Movement of Troops

Sir Roy Welensky denied an allegation that territorial troops were being sent to Nyasaland "for the purpose of intimidating Africans". The charge was made by Mr. Wellington Chirwa, Nyasaland African M.P., in a letter to Sir Roy referring to the move of about 500 European territorial trainees of the 1st Battalion, Royal Rhodesia Regiment, to Nyasaland. The Prime Minister's principal private secretary, replying on behalf of Sir Roy Welensky, said the troops were going to Nyasaland in the normal course of training. (*The Times*, September 5, 1958.)

The *Central African Examiner* (October 11, 1958) commented: The Prime Minister's reasons held only a trickle of water: most of the troops had already had considerable training in air mobility during their four-and-a-half months' national service at Llewellyn Barracks, Heany. While it was assuredly "interesting" for them to see Nyasaland, the object of the exercise—it can be fairly assumed—was to familiarize them with the most likely field of operation in Internal Security.

The air movements, which covered the greater part of Nyasaland,

comprised an Internal Security exercise: the troops were told they were hunting "bandits" at night and would probably fire a single shot and retreat hurriedly. With ribald imagination the soldiers quickly identified this phantom enemy. . . .

If the authorities really think trouble is imminent during the next year, would it not be cleverer tactics to prepare to meet it quietly and without offering provocation—the B.S.A. Police do practise Internal Security schemes based on Harare, but they don't roar round the township on their motor cycles for it—and without giving more ammunition to Nyasaland Congress radicals?

Signs of Opposition

After an agricultural assistant was attacked by villagers, extra police are to be drafted to the Fort Johnston district to assist in the enforcement of the agricultural rules which Africans have been refusing to obey. Nyasaland Department of Agriculture lays down that gardens should be hoed ready for planting by November 15. But in some areas villagers are refusing to do so, and even refusing to contour ridge on hillsides. (*Federation Newsletter*, October 31, 1958.)

When at the Northern Province African Provincial Council, the Acting Provincial Commissioner, Mr. Rowland, announced the presence of Mr. Hodgson of the Federal office of race relations, saying it was his intention to suspend the business of the meeting in order to allow Mr. Hodgson to address the meeting, all but two members of the Council walked out of the Council Chamber shouting slogans against Federation. The two who remained were elderly men who said they were too old to walk in and out but made it clear that they were not interested in what Mr. Hodgson had to say. As a result, normal business of the committee was eventually resumed and Mr. Hodgson returned to Salisbury without having been heard. The Northern Province African Provincial Council consists of twenty-six members, including all the senior chiefs in the Northern Province. (*Nyasaland African Congress Newsheet*, October 28, 1958.)

For the third time in two months, acts of insubordination at African schools in Nyasaland have led to the dismissal of large numbers of pupils. The latest incident occurred at the Chiole school in the Nchera district, which is controlled by the Mitsidi Mission, of Blantyre. Boys of the sixth standard refused to be taught by the European teacher allocated to their class, stating that they were unable to grasp her lessons. The same teacher had previously taught the same boys in Standard V, and had successfully got them through their examinations. The pupils were told by the mission superintendent that if they chose not to be taught by their teacher, they would have to return to their villages, as no other teacher was available. This they did.

Earlier this month, all 142 pupils at the Dedza secondary school were expelled after they had demonstrated against a new African teacher, and defied the authority of the European headmaster. Last month, repeated insolence and disobedience caused the Blantyre secondary school to close two weeks before the end of the term. The trouble followed a concert, in which a group of girl pupils were asked to leave the stage after singing a political song which was not on the programme. (*Rhodesia Herald*, October 25, 1958.)

Federalizing European Agriculture

When Mr. J. M. Caldicott, the Minister of Agriculture for the Federation of Rhodesia and Nyasaland returned to Salisbury from a visit to London he stated that the British Government had agreed to discuss again with the Nyasaland Government the question of the Protectorate's European agriculture becoming a Federal responsibility. Mr. Caldicott also said that unless the Nyasaland Government agreed to the transfer of non-African agriculture to the Federal Government the next Federal Government—if the United Federal Party is returned to power—will take over responsibility for the Nyasaland marketing of tobacco. Both he and the acting Federal Prime Minister, Sir Malcolm Barrow, criticized the Nyasaland Government for its policy of masterly inactivity in regard to the transfer of non-African agriculture. (*The Times*, October 3, 1958.)

The Times (October 1, 1958) commented "From a technical point of view there is no doubt that all the arguments are in favour of providing

European agriculture in all three territories with Federal services. This is not to say that the native agriculture departments are less efficient than the European ones. But the whole social organization and method of working the land varies vastly. However, in spite of the technical arguments, Nyasaland Europeans should look well before pressing this claim. Nyasaland, unlike the other two territories, has always been indisputably a predominantly African country and the Europeans who live there have to bear this in mind. Land has a psychological as well as an economic significance all the world over and particularly in Africa. Nothing is likely to undermine African confidence more in the ultimate intentions of the local European residents than the transfer of agriculture to the Federal authorities."

The *Rhodesia Herald* (October 9, 1958) said: "There are many reasons why the Federal Government should take over non-European agriculture in Nyasaland, not the least important of which is the need to encourage the inhabitants of the Federation to look to the Federal Government rather than to the Colonial Office in Britain."

The Place of Asians

The Nyasaland Asian Convention published a memorandum setting out objections to the present constitution and making proposals for changes. The proposals were (1) a new Legislative Council consisting of equal numbers of African, Asian and European members to be elected on a common voters roll; (2) Franchise qualifications on the lines of the new Tanganyika franchise with income or property qualifications as an alternative to the compulsory English language qualification; (3) the Executive Council to include at least one African, one Asian and one European to be elected by the Legislative Council—with this number to be gradually increased; (4) the official majority in the Legislative Council to be retained for a period of five years and the position reviewed at the end of this period. (*Rhodesia Herald*, September 25, 1958.)

Mr. A. Sattar Sacranie, the President, who met the Colonial Secretary in London said that although Asian immigration to the protectorate was now prohibited there were 10,000 Asian citizens there compared with 7,000 of European stock. Only 300 of the Asians had managed to get on the voters' roll, while the Europeans had seven times as many. The Africans, who numbered more than two million, had their own voting roll and their own representatives in the Legislature. The Asians who are lumped in with the Europeans to elect the "non-African" members, have no spokesman in the Legislature, although Mr. Sacranie had a seat when members were nominated. . . . Asians were placed in an impossible position in regard to education, since no secondary school has been provided for them so that their people could not hope to gain sufficient places on the present voters' roll. (*Manchester Guardian*, September 25, 1958.)

Later, Dr. Hastings Banda, President of the Nyasaland African Congress, said that "one word from me, and the Africans of this territory will boycott the Asian stores throughout Nyasaland. They know only too well what this will mean—bankruptcy—and they will have to clear out." Dr. Banda and his followers regard the 10,000 Asians in the territory as traders—nothing more. "They already own the majority of the trading stores in the country, thereby depriving the African of starting a small business," said Dr. Banda. "The Asians in the territory are worried about the threatened boycott." (*South Africa*, October 25, 1958.)

Disturbances After Meetings

After being addressed by Dr. Banda at Blantyre some members of a crowd of 3,000 Africans threw stones and earth at cars. Two European women were slightly injured by flying stones, and thirteen cars were damaged. The District Commissioner was called out to read the Riot Act, but by the time he arrived a Congress official had persuaded the crowd to disperse. Two platoons of the police mobile unit, with batons, shields, fixed bayonets, riot guns and tear gas were called out. It was reported that the riot started when a car driven by an Indian hit an African and that the Indian was pulled from the car and beaten up, together with a European who came to his aid, but the Blantyre police said that no assaults on anyone had been reported. (*Rand Daily Mail*, October 27, 1958.)

The Government issued a warning that it would stamp out lawlessness. It stated that it deplored recent incidents. The Government said that it had,

in addition to its own police force, "the resources of the Federation behind it", and it would make the fullest use of them should the need arise.

Disturbances also occurred at Zomba when crowds gathered to greet Dr. Hastings Banda, leader of the African Congress. A total of seventeen arrests were made.

Warning for Chief¹

Chief Kuntaja of Blantyre District was warned about taking part in activities designed to encourage opposition of people to some of the Government's basic policies. In June, Chief Kuntaja flew to London as a member of the Nyasaland African National Congress delegation which told the British Government of Congress demands for constitutional reform in Nyasaland. An official statement from Zomba said the Government has warned Chief Kuntaja that he has a duty as head of a native authority to help the Government and taken no part in opposition to its policies. (*Uganda Argus*, September 9, 1958).

In reply to a question by Mr. John Stonehouse, Mr. Lennox-Boyd, the Colonial Secretary said: "The Chief has been warned that if he continues his present activities his position as Chief will have to be reviewed. The House should remember that the combined role of Nyasaland chiefs is both that of traditional heads of the local instrument of government and the statutory duty as heads of native authorities to preserve law and order and maintain good government. That is not a difficult double normally, but I am determined that it shall be preserved. . . . There are very many ways in which chiefs can make their views known without necessarily indulging in some of the activities in question." (*Hansard*, November 4, 1958.)

Southern Rhodesia

Real Partnership

THE European staff of Hartzell Teacher Training School, Umtali, who serve under an African headmaster,² wrote to the *Rhodesia Herald* (October 1, 1958) "We are all four university graduates (as is our headmaster) and we have all had previous teaching experience of lengths varying among us from three to thirty-five years. Our genuine appraisal of this past year is that it has been excellent from the standpoint of staff harmony and co-operation toward common goals. We have experienced nothing within our staff in the nature of racial tensions or conflicts, and perhaps we can suggest the reason. . . .

"We would not be happy under a headmaster who lacked the academic qualifications to make him thoroughly capable in his work or the personal qualities which make him a good leader, regardless of whether the person were African or European. Therefore, we are delighted to work in this capacity with Mr. Wakatama because he is an excellent headmaster and a fine person who also happens to be an African."

Speaking at a Rhodesia National Affairs meeting in Bulawayo, Mr. R. C. Bone, principal of the Heany Teacher Training College, said that the curriculum at European senior schools in the Federation should include the study of the African way of life. "It is imperative in a multi-racial society that children of all races are taught about the customs and backgrounds of people of other races living in their country," he said. But knowledge alone was not enough. Little could be achieved without a true Christian spirit. "It is imperative too, that our children are taught a common ideology, a common culture." In this respect, said Mr. Bone, Russia, who was copying the Roman example, was a good lesson for Central Africa. Russia was the most multi-racial of all multi-racial societies today.

In reply to a question Mr. Bone said that he would like to see the adoption of voluntary study of African languages in European schools—"with the possibility of these languages eventually becoming an accepted part of the curriculum". (*Rhodesia Herald*, September 3, 1958.)

Colour Bar

Mr. G. T. Thornicroft has written a letter to the Southern Rhodesia Secretary for Justice and Internal Affairs, complaining that he was refused

¹DIGEST VI, 1.

²DIGEST V, 4.

a cup of tea at a European-owned hotel near Sinoia, Southern Rhodesia. Mr. Thornicroft's letter says that while travelling from Lusaka to his home in Salisbury he stopped at the hotel and asked for a cup of tea. His order was taken by a Native waiter, and he sat on the verandah of the hotel. Before the tea arrived, a European approached and told Mr. Thornicroft that he could not be served. He declined to give any reason. Mr. Thornicroft's letter states that he was well-dressed and polite, and asked for the tea in a courteous manner. There were no other customers about and he sat on the verandah "where I was not any inconvenience to anybody".

Mr. Thornicroft is president of the Rhodesia National Association, which represents the interests of Coloureds in Southern Rhodesia, and is the candidate for the Constitution Party for a Salisbury seat in the Federal General Election. He is the first non-European to stand as a candidate for election in a predominantly European constituency. (*Natal Mail*, September 2, 1958.)

Mr. Todd on the Future

Mr. Garfield Todd, formerly Prime Minister of Southern Rhodesia, replied to questions put to him by *Drum* (October, 1958).

Do you think Europeans will be in Central Africa in fifty years' time?

"There's no doubt that Africans will be here then; it's up to the European whether he stays too. The odds on Europeans staying have shortened during the last twenty years, and they will shorten still further if we delay building up an economic and social structure which allows full opportunity for all races."

Will the Federation last, or will it disintegrate?

"The position is deteriorating. Federation can only be maintained if there is co-operation between the races. If tensions rise, unchecked by a growing understanding between our peoples, by a growing recognition that our best interests are mutual, then it is only a matter of time before Federation crumbles."

Can you see evidence of the necessary degree of co-operation and understanding to prevent that happening?

"I cannot, but I believe the position is far from lost. There is a desperate need for immediate and courageous changes of policy.

"Let us not delude ourselves. It is not only the Africans in the Northern Territories who are calling for a break-up of the Federation, but also Europeans in Southern Rhodesia. There are many who would like to see the southern end of the Federation separated and eventually amalgamated with the Union."

Of the African National Congress he said: "Congress is a popular movement springing from the people, and it must be recognized."

Congress Members on Trial

Mr. J. R. Chikerema, vice-president of the Southern Rhodesia African National Congress, lost his appeal to the Federal Supreme Court against conviction in the High Court, Salisbury, for criminal defamation, and against the sentence of £100 fine (or six months).

Chikerema was found guilty of defaming Sir Patrick Fletcher, former Minister of Native Affairs and acting Prime Minister, at a public meeting. Giving judgement, the Chief Justice, Sir Robert Tredgold, said that at the trial there was considerable dispute as to what Chikerema actually said.

He was convicted on a finding that he had in effect said that Sir Patrick had formerly been a tax collector and had been accused of misappropriating public funds. Then this statement was made: "What sort of a country is this when a thief can very nearly become Prime Minister."

At the hearing of the appeal no attempt was made to dispute the finding. It was contended, however, that the statements did not constitute a criminal defamation.

Sir Robert outlined the law on the question and said: "On any of the tests the appellant was, on the words found to have been uttered by him, guilty of criminal defamation. To say of a man, until recently a Minister of the Crown, that he is a thief, even if it is coupled with an allegation that his theft occurred long before he was a Minister, cannot be lightly regarded, especially when, in this case, the charge forms part of a vigorous attack, imputing disregard of the very interests committed to his charge."

"The appellant himself demonstrated that what he said affected the public interest.

"When he said, 'What sort of a country is this when a thief can very nearly become Prime Minister' he extended his calumny so as to affect the whole community. The imputation was conveyed that the majority of articulate political opinion, at least, was prepared to tolerate a low standard in its public men." (*Rhodesia Herald*, October 11, 1958.)

Eleven members of the Southern Rhodesia African National Congress elected to be tried by the High Court when they appeared in the Salisbury Magistrate's Court charged with contravening the Public Order Act and other alleged offences. The charges arose from meetings addressed in the Sipolilo Reserve and at Highfield Township.

It was alleged that George Nyandoro, secretary-general of the Congress, addressed a gathering at the funeral in Bulawayo of an African, Burombo, and said that he had been killed by Europeans to stop him agitating for the liberation of Africans.

Other charges alleged that Nyandoro incited African women in the Goromonzi district to refuse to establish fire guards; that at Highfield he twice addressed meetings without permission; and that he addressed meetings in the Urungwe Reserve and at Highfield with the object of creating hostility between Europeans and Africans.

Nine of the accused, including P. M. Mushonga, vice-treasurer-general of the Congress, were alleged to have addressed meetings in the Sipolilo Reserve inciting Africans to commit unlawful acts in connection with grazing rights and the sale of cattle. (*Rhodesia Herald*, September 30, 1958.)

Congress Meets

The first Annual General Meeting of Southern Rhodesia African National Congress took place in Bulawayo on September 12-14, 1958.

In his Presidential Report on the progress and expansion of the Southern Rhodesia African National Congress during 1957-58, Mr. Joshua Nkomo said: "The monopoly of the settlers for legislating the laws that govern this country has corrupted the democratic institution renowned the world over. And not only has it done that but it has also destroyed the human values of the settlers themselves, in that it has made them to believe that they alone as a race are capable of ruling this country. It has made them forget that here in Southern Rhodesia and in Central Africa as a whole there are millions of other people who have legitimate claims to participate in the Governments of these territories. But I would be failing in my duty as President-General of Congress were I to omit mentioning to you the devastating effects resulting from the settlers' political and economic domination over the non-Europeans in this country....

"Racial discrimination practised in this country is a sin against humanity. No self-respecting people can bow down to this iniquitous soul-destroying practice."

On Federation he said "(1) We regard Federation as a failure because racial discrimination still goes on and is now worse than ever before.

"(2) Practices in the Federation are contrary to the preamble of the Federal Constitution.

"(3) Deportation of African leaders by the Southern Rhodesia Government has proved that geographically the three territories and their peoples are not one.

"(4) Difficulties in obtaining passports by the Africans in the Federation have proved to us that Africans are not citizens of this Federation.

"(5) Interference by the Federal Government in the internal Constitutional changes in Northern Rhodesia and Nyasaland has shown us that it is the settlers who are intended to control the political destiny of these territories."

Among the resolutions, Conference:

(1) called for the repeal of the Land Apportionment Act so that those Africans who have become an established labour force in urban areas can be provided with permanent houses under freehold tenure; and also for the suspension of the implementation of the Land Husbandry Act pending the appointment of a Commission of Enquiry to study the effects of this Act;

(2) condemned the Northern Rhodesian Government for using armed police to force the people of Gwembe to move from their ancestral homes, and called for the suspension of Sir Arthur Benson as Governor of Northern Rhodesia pending an official inquiry into the Gwembe bloodshed and massacre;

- (3) declared a solemn declaration of war against all forms of racial discrimination practised in this country at midnight on the 12th September, 1958, by all delegates. The delegates unanimously authorized the National Council of Congress to plan the major operation and to direct the campaign;
- (4) deplored the Church's reticence and inactivity in eradicating the corrosive sins of racial segregation and discrimination;
- (5) called for the end of all forms of racial discrimination in the police force;
- (6) demanded the abolition of the Native Affairs Department on the grounds that it no longer served a useful purpose, and was most obstructive in all matters concerning African advancement;
- (7) demanded enhanced status for chiefs;
- (8) condemned the introduction of Identity Cards and resolved to fight the Pass Laws;
- (9) established a National Education Trust.

The *Central African Examiner* (September 27, 1958) described the meeting as "Congress in Chaos" and said: "To an observer who for the past eight years has attended the slick, precision-run annual gatherings of the Northern Rhodesia African National Congress, it was the most vivid illustration possible of how badly organized is African nationalism south of the Zambezi. . . . Through the inevitable 'leaks' one gathered that there was something of a clash at the top table between, on the one side, vice-president Robert Chikerema and secretary George Nyandoro and, on the other, Nkomo." It added: "Never did a picture take shape of a body emergent finding its feet and going forward—even stumbling forward—to tackle the political problems facing the Africans in the Colony. Perhaps this will come as Congress finds the virility of the North and leaders of the same stamp as those in the North."

Mr. E. Dumbutshena, an African journalist who attended the Conference, subsequently wrote that according to his information, the quarrel existed in "the fertile imagination of the writer". (*Central African Examiner*, October 11, 1958.)

African Development and the Northern Territories

Sir Edgar Whitehead, Prime Minister and Minister of Native Affairs announced that an inter-Departmental Committee had been appointed to examine the present problems affecting the development of the Africans in Southern Rhodesia. These problems ranged from aspects of land husbandry on the agricultural side right through to urban housing, education, etc.

He referred to the land shortage arising from the tremendous increase in population and added "but in Northern Rhodesia there is a much smaller population in relation to the amount of land. Possibly in the future, as a feeling of community of interest is developed, land may become available there for the surplus population of Southern Rhodesia and Nyasaland. If the two Northern Territories expect Southern Rhodesia to absorb their surplus labour, it is only reasonable some of their surplus land should be made available to some of our people. . . . The question of restricting the flow into the towns of unskilled labour from the Northern Territories must be considered. For the time being restrictions may not be necessary. Northern Rhodesia and Nyasaland would object strongly but the tremendous increase in population in Southern Rhodesia cannot be disregarded." (*Rhodesian Institute of African Affairs Bulletin*, August 1958.)

Urban African Affairs¹

Commenting on the report of the Urban African Affairs Commission the *Manchester Guardian* (September 23, 1958) said: "It is not yet proposed that Africans should be elected to town councils, but that they should be co-opted on to the councils' main committees. One would have thought that African councillors would not have been a too daring step; Nairobi has them. But that is perhaps beside the point. Southern Rhodesia, well intentioned in many ways, has allowed herself to fall behind in others. The commission's report is an earnest and well-considered attempt to catch up. But the effort shows how much leeway there is."

A report of the Central African Statistical Office estimated that of the 150,000 Africans in and around Salisbury about 100,000 live in the main

¹DIGEST VI, 1 and 2.

African residential sites in Greater Salisbury—and 30,000 are in private domestic employment.

The remaining 20,000 include other small groups living on their employers' premises, and both employed and unemployed persons without a recognized fixed abode.

A quarter of the 640 families included in the survey had five or more children. Average family income ranged from £29 7s. 1d. at the highest group in the "own house category" to £3 17s. 9d. for families drawing rations and paying no rent.

Families in their own houses with an average monthly income of £13 3s. 2d. or less apparently had a net loss monthly, which they said was made up by drawing on past savings and on relatives and friends.

About 40 per cent of the families owning their homes came into this "net loss" category—that is their current expenditure exceeded their current income.

In the highest income group motor car expenses and the purchase of radios, sewing machines, furniture and household linen appeared on budgets. (*Rhodesia Herald*, September 11, 1958.)

The Prime Minister, Sir Edgar Whitehead, made a statement suggesting that so far as the administration of the African townships is concerned, it would be desirable for settled Southern Rhodesian urban Africans to take a greater share in their own administration until they can run their townships unaided. This provoked strong reaction among members of the Salisbury and Bulawayo City Councils, who refused to distribute 50,000 broadsheets prepared in three languages containing extracts of the Prime Minister's speech. (*Rhodesia Herald*, September 19, 1958.)

The African National Congress in Harari and the Mashonaland Regional Council of the African Trades Union Congress, refused to recognize the authority of the City Council's Harari Advisory Board.

In a letter to the Mayor, they demanded direct representation in the City Council and said they have withdrawn their support from the Board because they have no further confidence in it.

They have demanded the resignation of all members of the Board, "since their presence is no more representative".

The Board comprises a number of Africans under the chairmanship of a city councillor, Mr. A. G. Maycock. The Mayor replied: "Following the recent rejection by the Council of what was frankly a deliberate attempt to undermine a properly constituted body, the African Advisory Board for Harari, I want to make it clear that the Council will not tolerate any other attempts.

"The city's African townships fall within the authority of our Native Administration Department. Other departments also are concerned, such as Health, Works and Finance—to name only a few. In addition the Council can keep in touch with the townships residents through its Advisory Boards. This is machinery which is available to all residents of the city's African townships." (*Rhodesia Herald*, September 24, and 30, 1958.)

Expense of Ill Health

The 1957 Annual Report of the Silicosis Board expressed concern at the "very low standard of health of large numbers of African applicants to the mining industry". These natives often contract silicosis and tuberculosis after only a few years' service in the industry and have to be paid considerable sums as compensation. The Board recommended a scheme of initial examination with minimum fitness qualifications under which "many of the present entrants would be rejected immediately". The Report also forecast an "upward trend in native silicosis". (*Rhodesia Herald*, October 21, 1958.)

EAST AFRICA

Pan-African Conference

A PAN-AFRICAN Conference held at Mwanza, Tanganyika, was attended by delegates from Tanganyika, Nyasaland, Zanzibar, Kenya and Uganda. This conference, held from 16th–18th September, resulted in a "caretaker committee" being appointed to co-ordinate nationalist efforts and programmes of political organizations of the region: Chairman: Mr. Francis

J. Khamisi, Kenya, M.L.C., President of the Mombasa African Democratic Union; Secretary/Treasurer: Mr. I. M. Bhoke Munanka, Tanganyika, National Treasurer of T.A.N.U.; Representative Members: Mr. Julius Nyerere, Tanganyika, M.L.C., President of T.A.N.U., Mr. M. W. Kanyama Chiume, Nyasaland, M.L.C., Publicity Secretary of the Nyassaland African Congress, Mr. E. M. K. Mulira, Uganda, President of the Progressive Party.

At the Conference a Freedom Charter was adopted. This emphasized that the time had come for Africans to regain their birthright of freedom and self-government and that every hour spent under imperialism was an hour lost to freedom. The signatories of the Charter dedicated themselves to the achievement of African freedom throughout Africa and the establishment of democracy; declared colonialism, so-called trusteeship, and so-called partnership, *apartheid*, multi-racialism and White-settlerism which could be eradicated only by "African nationalism—virile and unrelenting" to be enemies of African freedom, and said that poverty, ignorance and ill health could not be eradicated under imperialism but only under self-government and international co-operation on the basis of equality and mutual benefaction. The Charter called for the establishment of Pan-African Freedom Movements in each territory in East and Central Africa. It pledged itself to the Declaration of Human Rights and the U.N. Charter. It supported full industrialization and the enhancement of co-operative methods and called for the control of the major means of production "by the peoples themselves through their democratically instituted governments". Full recognition of trade union rights was demanded. The Charter was signed "for and on behalf of the Pan-African Freedom Movement of East and Central Africa" by F. J. Khamisi (Chairman) and I. M. B. Munanka (Secretary).

The Conference made known that under the democracy they sought there would be no discrimination, victimization or any form of segregation based purely on race or colour or religion. Those of foreign origin "by accepting the rules of Governments of the majority, by being naturalized African citizens or by being citizens by birth who unreservedly uphold the system of true parliamentary democracy, social justice and the principles of Equality will enjoy the full rights and protection of a citizen". It was also resolved that the "absolute independence of the Judiciary" should be maintained, and the rights of citizenship should be enjoyed by both indigenous people and people of foreign origin providing he or she is a full-fledged citizen.

The Conference resolved that the question of East African Federation was irrelevant at the present time, and it condemned the Central African Federation which was against the will of the Africans of Central Africa.

Kenya

African Members "Walk Out"

THE African elected members of the Kenya Legislative Council walked out in a body while the Governor was speaking at the official reopening of the Council. The members rose as Sir Evelyn Baring finished the sentence: "However, as it is now constituted, the Government can, and if necessary will, carry on the administration of the country: the basic constitutional position of the colony remains unchanged."

The following day the Speaker, Sir Ferdinand Cavendish-Bentinck, said the demonstration, on a formal occasion in the presence of official guests, "amounted to calculated grossly disorderly and insulting behaviour". The fourteen African elected members were suspended on a motion by Mr. W. F. Coutts, the Chief Secretary, and left the Chamber without incident.

The African elected members issued a statement reiterating their demand for a round-table conference to discuss the constitution. It described the part of the Governor's speech which said that the Government as now constituted could, and if necessary would, carry out the administration of the country as "a deliberate attempt to ignore the African elected members and ridicule their position". Their suspension was for four days from November 5.

The Times (November 7, 1958) said: "The walk-out of the African elected members bids fair to develop into a minor constitutional storm....

"The African elected members, who all originally rejected the Lennox-Boyd constitution, have been pressing for some months for a round table conference, possibly assisted by a constitutional expert from England, to consider a new constitution. In June they submitted proposals which were published....

"In the intervening months the subject has been debated in the Legislative Council and the African members have made inquiries from time to time and have been told that an answer from London was under consideration and would eventually be communicated to them. When they heard the Governor's speech on Tuesday they interpreted his words as an answer to their request and on this assumption they thought it had been sprung on them without notification. They therefore walked out of the Chamber in a body....

"At the time there was some anxiety that the Africans' action was a premeditated preliminary to a boycott of the council.... They do at the moment refuse to accept office in the multi-racial council of ministers, but this refusal can be justified on the ground that they are members of an Opposition, refusing quite constitutionally to take part in a Coalition Government. A boycott of the Legislative Council itself might have serious political consequences, in that it would deprive the African community of constitutional means of expressing opposition to proposals they do not like...."

The Governor of Kenya, Sir Evelyn Baring, summoned the African elected members of the Legislative Council to Government House on November 12. A statement after the meeting said that the speech from the chair at the opening of the Legislative Council did not embody a reply from the Secretary of State for the Colonies to their constitutional representations in June. The statement added that the Governor told the members they would receive a reply from the Secretary of State, and that his (the Governor's) speech was therefore without reference to that reply.

The following day Mr. D. N. Mumo was the only elected African member to take his seat. A statement from the African Elected Members' Organization said that its members were awaiting the Colonial Secretary's dispatch, and that in the meantime they would abstain from the proceedings of the Legislative Council.

Governor's Confidence in Colony's Future

Sir Evelyn Baring said that he was convinced that no Government, either in Kenya or Britain, would sacrifice the interests of any one community—either now or in the future. "The children of Europeans, Africans and Asians all belong to the country and, in my view, will all remain here", the Governor said. Among reasons which inspired confidence were the assurance given by the Colonial Secretary on the continuance of the Colony's connection with Britain and the policy both of the Colonial Secretary and the Kenya Government to ensure that individual rights of private property are respected.

The Governor said the fact that the United Kingdom Government and their expert advisers had expressed confidence in that future pointed towards an improved economic future for the colony. If the U.K. Government felt that Kenya's economy was going to collapse or that it would be an insecure country in the future, would they have undertaken a commitment of several millions of pounds to build permanent barracks for two British battalions here—battalions needed for defence over a very wide region?

The Governor continued: "During the years since the war, there has been a striking development in Kenya's economy. In any country the best test is what used to be called the National Income, and that has risen during the Emergency years from £107 million in 1952 to £170 million in 1957. In Nairobi and Mombasa we have seen grow up a number of new factories and in Mombasa on the Changamwe Trading Estate steps have been taken to provide the background for further industrial development. Up-country in European farming, Kenya's stock, that is pedigree animals, are beginning to establish a reputation far outside our boundaries."

In the African areas, there had been something like an agrarian revolution, and the consolidation of scattered holdings in one province as a model for others, the increase in the growing of cash crops, the extension of soil conservation measures and the improvement, both of stock and of grazing, would cause a rise in African agricultural production and an

increase in internal purchasing power through an improved African standard of living. (*East African Standard*, September 12, 1958.)

Speeches to the Muslim League

Mr. Tom Mboya, addressing the Kenya Muslim League in Mombasa, said religion must be excluded from politics. If Asians stood for undiluted democracy they had nothing to fear from the Africans. The Africans' objective was clear—a democratic government and society for Kenya with universal franchise. To all the immigrant communities they extended a hand of friendship in democratic equality and recognition that Kenya was primarily an African country. Mr. Mboya said: "That I am an African Nationalist I do not deny and in this regard I am out to secure the complete emancipation and liberation of my people and to remove all forms of foreign exploitation and domination. But I sincerely wish that all the immigrants who wish to stay in our beautiful country will be accorded full citizenship rights under a government of the people. Africans will never accept partnership, multi-racialism or the various concoctions of limited democracy and franchises that are springing up in Central Africa."

Referring to Sir Evelyn Baring, Mr. Mboya said "He made reference to the presence here of British troops and implied that this should be a source of security for the future of European settlers. What is so strange in these developments is the lack of appreciation that this is an African country, bound in the near future to be governed and ruled only with the consent of the African people."

Mr. R. S. Alexander, an Elected European M.L.C., said he was not yet satisfied that there was yet sufficient ground for them to move to a common roll of any kind. He could see nothing but damage if they moved to a common roll before the people were able to disregard religious considerations and the colour of their skin when they voted....

The President of the League, Mr. Zafrud-Deen, said that as Muslims they had their sympathies with their co-religionists in all the other parts of the world. He went on: "This does not mean that we blindly support the trends in certain Middle East countries with regard to their flirtations with Communist imperialists." The Government and peoples of Kenya should join in keeping the menace of Communism outside the borders of Kenya.

"On behalf of my community I wish to assure that we have no desire to ask for privileges much less to dictate any terms." But he said the new immigration laws which came into force at the end of 1957 were discriminatory; the need for Muslim teachers from Pakistan had been pressed for many years, but all such requests had been rejected due to the immigration policy. (*Mombasa Times*, October 13, 1958.)

Statement on Prisoners and Detainees¹

Following reports of a split amongst African leaders, Dr. Gikonyo Kiano issued a statement on behalf of the African Elected Members' Organization. He said that the Organization wanted it publicly known that rumours about a split were unfounded and irresponsible, and were being encouraged by those against their unity in the struggle for self-Government, particularly some of the "mischievous European press".

He was satisfied that Mr. Jeremiah Nyagah's speech at Nyeri about Kenyatta was not accurately reported and the African Elected Members' Organization wished to announce that Mr. Odinga has withdrawn the allegations he had made against Mr. Nyagah.

The African Elected Members' Organization were to press for Kenyatta's release and return to normal life together with all those others that are imprisoned, detained or restricted in connection with the Emergency. (September 23, 1958.)

A resolution calling on the Kenya Government to "reinstate at once" a number of trade union leaders and workers in detention camps was passed at the annual conference of the Kenya Federation of Labour. The conference re-elected Mr. Tom Mboya general secretary. Mr. Mboya recently announced that he was giving up the post because of political commitments, but reversed that decision after "numerous requests" from unions to retain his office. Mr. Mboya said that a number of trade union leaders were still in detention camps, some leaders and workers were under restriction orders and a few under deportation orders.

¹DIGEST VI, 2.

Mr. Mboya referred to "what appears to be forced labour" in Kenya. The Federation had requested the International Confederation of Free Trade Unions to examine "some legislation and provisions that in our view constitute forced labour in this country". He claimed that forced labour did exist but "under disguise and under some assumed names". (*Uganda Argus*, September 16, 1958.)

Emergency to Continue

The Legislative Council rejected a motion supported by African members to end the state of emergency immediately but approved an amended motion by the Minister for African Affairs, Mr. C. M. Johnston, calling for the emergency to be ended "as soon as possible".

Mr. Johnston told the House that of the 77,000 Mau Mau originally detained during the emergency a total of 72,000 had been released to date. The Government had taken a further bold step forward, and of the 3,200 convicts—persons sentenced for Mau Mau offences—some 2,900 had been "transformed" into detainees and would be placed in the pipeline for accelerated release. "I am glad to say that this bold step in rehabilitation has been successful on the whole," Mr. Johnston said.

The Chief Secretary, Mr. W. F. Coutts, spoke of Kiama Kia Muungi as a reason why the emergency could not be lifted at present. "It is an aftermath of Mau Mau, and 95 per cent of the people involved in K.K.M. were actively associated with Mau Mau," he said. (*The Times*, October 16, 1958.)

Reservation of White Highlands

The exclusive reservation for Europeans of the White Highlands of Kenya was described in the House of Commons last week by Mr. John Stonehouse (Labour) as one of the outstanding injustices in the Colonial world. Raising the subject in a short adjournment debate, he said that there were two matters essential to the future well-being of Kenya: "(1) We must declare that Kenya will eventually have her self-determination on the democratic basis of universal adult suffrage and (2) that there must be no discrimination among the communities." He said that the Kikuyu had had substantial tribal holdings in the Highlands, taken over from the Dorobo, and even as late as 1939 some 4,000 Kikuyu were displaced, receiving 30s. each as compensation. Nor was it right to say that the White Highlands had grown up by custom and practice and therefore represented a purely local problem. In 1932 the Colonial Secretary had been responsible for the direction to the Carter Land Commission to give Europeans a privileged position in the White Highlands.

The Europeans had exclusive rights to some 16,500 square miles, an average of one square mile each. Today the Europeans numbered 62,000 out of a total population of 6,200,000, but, according to the Troup Report Europeans in agriculture numbered only 4,000. "This miserable and reprehensible policy is therefore maintained in the White Highlands for a selfish clique of White Highlanders numbering only a few thousand." Only about 19,645 square miles of land was available for farming in Kenya—land with about 20 inches of rain a year, the necessary productive minimum. Of that some 5,960 square miles was reserved for Europeans. "So 30 per cent of the good land in Kenya is reserved exclusively for Europeans. This is surely wrong in principle and bad in practice."

Mr. John Profumo, Under Secretary of State for the Colonies, explained H.M. Government's attitude towards European farmers who had "risked their capital, skill and future in developing an area of Africa which had often proved hazardous and intractable".

The Minister said: "The 1954 census mentioned a figure of 880,000 acres as being under-developed. This fell within an area of 1,640 square miles not being properly used for productive purposes, which included unusable land, fallow land, land used by African employees and land occupied by buildings and roads. The comparable figures today are 533,000 acres and 997 square miles. In some areas large units are essential if the land is to be economically worked. . . . One of the instruments of this policy is the European Agricultural Settlement Board, which is doing good work in buying up overlarge estates as they come into the market and dividing them up for new owners and tenants."

"The Kenya Government intends to continue, as far as their financial difficulties will allow, the full reorganization and redevelopment of the fertile Native land which has for a long time been under wasteful systems of cultivation and tenure. Even if there were no other objections, sheer economics and the shortage of capital would certainly lead us to concentrate on this great work rather than to launch an African co-operative farming scheme in under-developed areas in the Highlands.

"Despite the present slight recession among primary producers, which I know is worrying Kenya farmers of all races . . . there is ample reason for confidence and self-confidence in their approach to the land. Kenya cannot flourish without full recognition of the permanent part which the whole farming community has to play in the economy and without a determination on the part of all farmers to make the fullest use of the land at their disposal without exhausting its fertility. I believe that with that confidence, that determination, and that recognition, farmers, with the rest of public opinion in all communities, are bound to move towards a less political outlook towards the land. . . ."

Mr. Profumo said that it would take "quite a long time to eradicate theories and ideas which have grown up over periods of fifty or sixty years of local experience. This is the kind of thing which cannot be rushed. This does not mean, however, that the view of H.M. Government and that of the Government of Kenya is not basically the same on this matter as that of the hon. gentleman. It is a question of timing, and it is no use saying that because such and such a statement was made or such and such a report was issued we ought to try to race towards this goal, because that would merely do harm to the very people the hon. gentleman has in mind in raising this matter. The Secretary of State and the Government of Kenya will be able to perceive when the time has come to make changes which the hon. gentleman has in mind." (*Hansard*, October 29, 1958.)

Freehold Land Titles for Africans Proposed

The Report of the Working Party on African Land Tenure incorporates a draft Bill which, if eventually approved by Kenya Legislative Council, will give individual Africans freehold title to their land after consolidation or enclosure. It is not proposed that this Bill will apply automatically throughout the African areas but that, like the Native Land Tenure Rules, 1956, it should be applied by the Minister responsible only where the concept of individual ownership has already emerged and where there is an overwhelming popular demand for the determination of rights, consolidation and registration.

A second draft Bill in the Report makes provision for control over land transactions by Boards, consisting mainly of Africans, which would have much the same powers as the Land Control Board which controls land transactions in the Highlands of Kenya.

The Registration Bill incorporates and extends the Native Land Tenure Rules, 1956, under which consolidation of fragmented land in African areas has been carried out during the past two years.

Recognition of title, the Working Party concluded, could best be achieved by providing in the Registration Bill that committees of local Africans should list those persons whose rights they consider should be recognized as ownership, and that subsequent registration should convert that recognition into freehold title. (*Kenya Newsletter*, October 21, 1958.)

Demonstration Against Federal Prime Minister

Officials of the Nairobi People's Convention Party staged a demonstration at Nairobi station when Sir Roy Welensky, Prime Minister of the Federation of Rhodesia and Nyasaland, arrived there on October 1. The police arrested four leaders. Appearing in Court on October 18 all four men pleaded "not guilty" and a witness said it was a peaceful demonstration and the only commotion was caused by police arresting the demonstrators. The police superintendent told the court that one man holding a placard above his head tried to rush forward to where Sir Roy and Sir Evelyn Baring were standing and he considered that this man's conduct was likely to cause a breach of the peace. (*East African Standard*, October 20, 1958.)

Tanganyika

Victory for T.A.N.U.

ELECTIONS to fifteen seats in the Legislative Council took place on September 8. All the successful African candidates were members of the Tanganyika African National Union. All United Tanganyika Party candidates were defeated.

Brief Biographies of New Members

Tanga Province—Donaldson, Roderick Neville—Stood as Independent because he considers the time not yet ripe for party politics. Advocated introduction of self-government on a provincial basis. Krisna, Beldev—A medical practitioner in Tanga for the past eight years. Stood as an Independent with the backing of the Asian Association. Keto, John—T.A.N.U.

Eastern Province—Lewis, Graham Thomas—A former member of the Council. Returned unopposed. Jamal, Amir Habib—A Dar es Salaam businessman, to racial representation, maintaining that the only way for Asians to live in Tanganyika is to identify themselves with the indigenous majority. Nyerere, Julius K.—President of the Tanganyika African National Union. Spent some years in Britain, an Edinburgh M.A. Appointed to the Council last year, but resigned after two sessions.

Southern Highlands Province—Chesham, Lady (Marion)—Independent, with T.A.N.U. support. Was once a member of the United Tanganyika Party. Bajaji, A. Singh—Employed in cotton and sisal industries. Stood as Independent. Mwankangale, John Benedict—T.A.N.U.

Northern Province—Bryceson, Derek Noel Maclean—Independent, who received T.A.N.U. support. A West Kilimanjaro farmer. Last year became Assistant Minister for Labour; resigned to fight election. Mustafa, Mrs. Sophia—Independent. Wife of an Arusha lawyer. Has served on Arusha Town Council. Believes that "if a sane approach is made to African aspirations by all responsible people there is a bright future for Tanganyika". Ellusoo, Solomon Nkya—An educational assistant at a teacher training centre and once taught at Makerere College. Holds an American arts degree, and also studied at Bristol University.

Western Province—Barker, J. H.—Returned unopposed. A Canadian, who is Managing Director of the Canadian Exploration Co. (Tanganyika) Ltd. Rattansey, Mahumud Nasser—President, Asian Association. Stood with T.A.N.U. support. Born in Dar es Salaam; a barrister. Fundikira, Chief Abdullah Said—Returned unopposed. Spent thirteen years in the Civil Service before resigning to become chief. (*East Africa and Rhodesia*, September 25, 1958.)

Amir H. Jamal, M.L.C. (Eastern Province), writing in *Venture*, November 1958, said "In these elections, held under the parity constitution, with common voters' roll, each voter compulsorily having to vote for one candidate of each of the three main races (African, European and Asian) and only an adult with a qualification such as income of £150 per year or education up to a minimum Standard Eight (Standard Twelve being School Certificate) or office such as chief, sub-chief, headman, etc., being able to register as a voter, the four-year-old Tanganyika African National Union has swept the polls. Although strongly opposed to the compulsory tripartite vote, the T.A.N.U. was prevailed upon by its leader, Julius Nyerere, to participate in the elections on the grounds that: (a) The constitutional means was the way to struggle for self-government. (b) Nyerere had been repeatedly saying that the non-African who had settled in Tanganyika was here to stay, provided of course he wished to do so without imposing any conditions. The elections were thus an opportunity for non-Africans with a national rather than a racial outlook to come forward and co-operate on common ground. (c) It was politically necessary to oppose the United Tanganyika Party wherever possible.

"The main features of the elections were: (a) Polling was heavy, about 80 per cent. (b) The U.T.P. claiming to be strong in Tanga, lost everywhere, and its President, Mr. Bayldon, was defeated by Lady Chesham, backed by T.A.N.U. (c) Three Asian candidates (Asian Association) and one European candidate (Bryceson of Northern Province) received positive support from T.A.N.U. for their own sake, as against the remaining two Europeans and two Asians (one woman from Northern Province) who received T.A.N.U. support simply because somebody had to be voted for

in each case. (d) Two Europeans (Western and Eastern Province) both with U.T.P. affiliations, were returned unopposed because no one came forward to oppose them. (e) In Western Province, where the European as well as the T.A.N.U.-backed African chief, Fundikira, were returned unopposed, and where the preponderant African voter was thus under no obligation to go to the poll, the Asian Association candidate backed by T.A.N.U. was elected because of overwhelming support from the African voters. (f) Wherever opposed, the former nominated Members of Legislative Council lost heavily. (g) The African National Congress was routed, its founder, Zuberi Mtemvu, now in the United Kingdom, having polled only 53 votes."

The *Sunday News* (Dar es Salaam, September 17, 1958) said the T.A.N.U.'s victory revealed the cardinal weakness of the tripartite voting. This was that T.A.N.U. supporters voted for T.A.N.U.-backed European and Asian candidates and not for the individual. This constituted direct voting against the U.T.P. So the people who have proved themselves a thorn in the side of T.A.N.U. were neatly engineered out.

The President of the United Tanganyika Party, Mr. Ivor Bayldon, said that the elections had been fought on a straight party issue: "Every person either supports multi-racial development or not." He added, however, that the elections had proved that the U.T.P. was "very much alive".

Mr. Derek Bryceson writing to *The Times* (October 2, 1958) said: "I enjoyed . . . T.A.N.U. approval. But make no mistake: T.A.N.U. also enjoyed my approval, since they have dropped the old idea of African nationalism (racialism) and adopted instead a true Tanganyika nationalism embracing anyone of any race who has his home here and whose first loyalty is to the Territory.

"I travelled with Mr. Nyerere, the president of T.A.N.U. and the official T.A.N.U. (African) candidate extensively throughout the constituency. Through their organization I had the pleasure not only of addressing tens of thousands of Africans myself but also of hearing Mr. Nyerere expound to them the advantages of harmonious race relations and the chance that we in Tanganyika have of pulling off what in other lands seems very remote—a harmonious multi-racial State with all the different races working for the common good.

"As T.A.N.U. is the only political organization with a really significant membership numerically, and it commands sympathy far more widely than the actual membership, I place great significance on this change of policy, this liberalizing, and am personally much encouraged by it. The point that Tanganyika will in the future be a largely African state has been accepted for some time and was therefore not a plank in a political platform. The majority of, if not all, the candidates stated that to be their belief."

Mr. F. S. Joelson (Editor of *East Africa and Rhodesia*), replied that although a change of policy such as Mr. Bryceson described would be "most significant and important", a few speeches made during an election campaign in the presence of non-Africans ought not to be accepted as conclusive evidence that the leader of T.A.N.U., still less the organization itself, has really had a change of heart, of direction and of determination.

Mr. Joelson then referred to the Pan-African Freedom Movement Conference¹ which he said was pledged to "work for a Government of Africans by Africans for Africans on pan-African lines". How, he asked, could that purpose be squared with "a true Tanganyika nationalism embracing anyone of any race"?

Mr. Joelson described the franchise system under which every elector was compelled to vote for one candidate of each race as disastrous since it had "inevitably put power into the hands of T.A.N.U. an extremist organization which wants the fruits of self-government before the seeds of political understanding have begun to germinate". (*The Times*, October 6, 1958.)

Mr. Bryceson in reply said that during the debate on the Address in Reply in the Legislative Council Mr. Nyerere made it crystal clear that his conception of the future of Tanganyika included all people who had their homes in and owed their allegiance to the Territory "irrespective of race or anything else".

With regard to his observation on the "tripartite" system of voting Mr. Bryceson said "it is ironic to note that it was Mr. Nyerere himself who brought a motion, asking that the Government remove the compulsory

aspect of the voting system. The motion was defeated. . . ." (*The Times*, October 25, 1958.)

A Non-Racial Policy

The Governor, Sir Richard Turnbull, addressing the Legislative Council after the elections, said that he was confident that all the elected members would put the interests of Tanganyika above sectional or racial interests. The Governor continued: "A belief appears to exist amongst some people that a 'multi-racial'—or, as I would prefer to call it, and intend to call it, a 'non-racial'—policy will in some way or other prevent the Africans of Tanganyika from reaching their full political stature and from playing their proper part in the government of this country. This is not so, and in view of the many statements that have been made about H.M. Government's intentions for the future of the Territory I cannot understand why this misunderstanding should still persist.

"The Minister of State for Foreign Affairs said at the General Assembly of the United Nations in February 1957: 'As the educational, social, and economic progress of the African community in Tanganyika continues, the participation of the African in both legislative and executive branches of Government is bound to increase.' This categorical statement of H.M. Government's policy should reassure all Africans in Tanganyika as to the pattern which future development will take.

"In terms of population the Africans always will be an overwhelming majority in Tanganyika, and, as the country progresses, it is right and proper, as indeed it is natural and inevitable, that African participation both in the legislature and in the executive should steadily increase. It is not intended, and never has been intended, that parity should be a permanent feature of the Tanganyika scene.

"It is intended, and always has been intended, that the fact that when self-government is eventually attained both the legislature and the Government are likely to be predominantly African should in no way affect the security of the rights and interests of those minority communities who have made their homes in Tanganyika. I am glad to note that the responsible leaders of major political parties in the Territory are in complete agreement on this important matter; and that there is therefore a good prospect that in due course there will exist in Tanganyika a Government to which H.M. Government will be able to devolve their trust as being a Government under which responsible people of all races would feel secure." (*East Africa and Rhodesia*, October 16, 1958.)

Referring to the economic and financial situation, Sir Richard said that the decline in commodity prices in the past two years had been reflected in disappointing revenues. One result of this had been that Government was today faced with the problem of recurrent expenditure growing faster than recurrent revenue.

The situation was being carefully watched and various measures for keeping down the level of Government expenditure had been put in hand. Restrictions on overseas recruitment had been in force for some time.

He warned the House that until there was a change in the situation for the better "we shall have to content ourselves with roughly the same level of services that the country enjoys today, and with a slower rate of public investment". There was plenty of development going on and there was a capacity to produce at considerably lower cost than at present. "Our circumstances are therefore likely to be a good deal happier than those of many other tropical countries that are now subject to the same world-wide economic factors." (*Tanganyika Standard*, October 15, 1958.)

Commenting editorially, the *Tanganyika Standard* said: "Two items in Sir Richard's speech deserve the widest possible publicity. The first is his clarification of the Government's intentions for the future of the Territory. The Governor said he could not understand why there should be any misapprehension about the Government's 'non-racial' policy, which would in no way prevent the Africans of Tanganyika from reaching their full political stature and playing their proper part in the government of the country. . . .

"On the other hand the probability that when self-government is eventually attained both the Legislature and the Government will be predominantly African should in no way affect the security and interests of the minority communities who have made their homes in Tanganyika. . . .

¹See page 90.

"On the question of Government expenditure, the Governor said restrictions on overseas recruitment had been in force in Tanganyika for some time 'although they have not been widely publicized'. Why this should be so, we find it difficult to understand. In view of the insistent calls for cuts in Government expenditure that have been made during the past year, any restrictions on overseas recruitment would seem to us to deserve the widest possible publicity."

Mr. Julius Nyerere, commenting on the Governor's speech, said that he felt Sir Richard Turnbull was the Governor the country needed to guide it towards independence. The country had waited a long time to hear a Governor say that Africans were going to have at least something to say in their affairs.

He welcomed the Governor's statement that he would prefer to call multi-racial "non-racial". Mr. Nyerere added that he thought non-racialism was better understood.

Conditions of Plantation Workers¹

Free Labour World (September 1958), the official journal of the International Confederation of Free Trade Unions, described recent achievements by the Tanganyika Federation of Labour and the newly-formed Tanganyika Sisal and Plantation Workers' Union as pointing to a brighter future for the workers in what has hitherto been "a bastion of reactionary forces".

The Tanganyika Sisal and Plantation Workers' Union had already won the right for its organizers to hold meetings and conduct the business of trade unions. This was until recently consistently denied by the employers through the simple means of refusing organizers access to the estates where the workers live as well as work.

At the initial sessions of the Central Joint Council, which consists of an independent chairman and equal numbers of management and workers' representatives, tribute was paid to the dignity and competence of the T.S.P.W.U. representatives by David Barrett of the British T.U.C. who had been seconded to the Plantation Workers' International Federation for a mission in East Africa to give advice to plantation union officials.

He said that the Federation of Labour's first step had been to form an organizing committee for preliminary contacts with the powerful Tanganyika Sisal Growers' Association, under the chairmanship of Sir Eldred Hitchcock, which at that time was advising members to refuse to recognize trade unions or allow them access to estates.

Using a Landrover stationwagon donated to the T.S.P.W.U. by the P.W.I.F. a widespread organizational campaign was then started, and this included the printing and distribution of 10,000 leaflets in Swahili explaining in simple, down-to-earth terms the meaning of free trade unionism and its practical application on the plantations of East Africa.

The T.S.P.W.U. received a certificate of registration on July 3, 1958.

Uganda

Election Results

FORTY-FIVE candidates contested ten of the eighteen seats for African representative members of Legislative Council. These ten constituencies include roughly three-fifths of the population of Uganda.² There was an 85 per cent poll, the highest in any one constituency being 96 per cent and the lowest 51 per cent.

The elections were fought on a party basis in some areas only, half the successful candidates being independent. The newly elected members, who will take their seats in Legislative Council in November are: John Babiiha (Toro), Independent; Balaki Kirya (Bukedi), Uganda National Congress; William Nadiope (North Busoga), U.N.C.; John Lwamasa (Kigezi), Independent; George Magezi (Bunyoro), U.N.C.; Mathias Ngobi (South Busoga), Independent; Apolo Obote (Lango), U.N.C. Cuthbert Obwangor (Teso), Independent; Gaspare Oda (West Nile), Democratic; Peter Oola (Acholi) U.N.C.

Buganda took no part in the elections. When asked to submit the names of five representative members to represent Buganda the Premier, Mr.

¹DIGEST VI, 1.

²Comparative figures of registered electors for the three territories are: Kenya 127,000; Tanganyika 29,000 for five constituencies; Uganda 626,000.

Michael Kintu, replied that the whole question of Buganda's representation in the Council was being contested in the courts, and that he had referred the Protectorate Government's request to counsel acting for Buganda.

The Buganda Government is asking the High Court for a ruling that since certain changes have been made in the composition of the Council (notably the appointment of a Speaker to preside in place of the Governor), the Council as now constituted is not the same as that established at the time of the Agreement and that therefore they are not bound to provide representatives. Buganda won the first round in the dispute when the Protectorate Government's application for the action to be rejected was refused by the court.

The Manchester Guardian (October 6, 1958) commented: "The situation is that both sides are finding the Buganda Agreement something of a millstone, yet neither will take the responsibility for breaking it and each is hoping that the other can be shown to have done so."

The Lukiko and the Political Parties

The Acting Governor, Mr. C. H. Hartwell, replying to a Lukiko resolution which complained about statements alleged to have been made by representatives of political parties said that the 1955 Agreement provided that the Kabaka's Council of Ministers should be charged with the conduct of the Kabaka's Government. As the Kabaka had thus been placed outside the sphere of political argument, it followed that criticism of the Ministers and the Lukiko could not be regarded as criticism of the Kabaka. He added that criticism of a Government by political parties or individuals was not necessarily a bad thing if done in a proper and lawful manner.

The Ministers of the Kabaka's Government reiterating their complaint against certain political parties said that they did not consider as "fair and normal criticism" of the Government, statements which threatened to terminate Mengo and to prevent taxpayers from paying their taxes. They considered that the Acting Governor's reply "evaded answering the main points" in their resolution. (*Uganda Argus*, September 26 and 29, 1958.)

Addressing meetings during a tour of Buganda, Mr. Michael Kintu, the Prime Minister, said political parties had their own policies, other people had other policies; there were differences between clans, different religious groups. Such differences would hinder progress. After expressing concern at the expressions of some people who appeared to be supporting suggestions that Uganda should follow the pattern of Ghana, the Katikiro said: "Buganda will never be ruled by anyone but the Kabaka."

He referred to statements made in a debate at Makerere College, and asked how anyone could say that the hereditary rulers were exploiting the country. It appeared that some "foreigners" were teaching young people to hate the Kabaka: "But we shall stay with the Kabaka," he said. "We don't want republics." There were some "selfish and ambitious" people who criticized the Buganda Government, but did not do so constructively. Such criticism was to be condemned. Referring to the coming elections for the Buganda Lukiko, he urged the people to follow the law closely, and to elect people they could trust.

The Karamoja Problem

Several African Members opposed the second reading of the Special Regions Bill, which seeks to provide special powers for dealing with cattle raiding in Karamoja, in the Legislative Council. Moving the second reading, the Acting Chief Secretary, Mr. G. B. Cartland, had said the Government wished to eliminate cattle raiding in this area. In the course of a speech criticizing the Bill, which brought congratulations from other Members, Mr. J. Lokolimoi (Karamoja) said cattle raiding in Karamoja was a problem similar to that created by "swindling, burglaries and gang robberies" in other parts of Uganda.

Mr. Cartland said there were three causes for the cattle raiding in Karamoja—water shortage, grazing shortage, and the "simple pleasure" of acquiring property without too much trouble. The Bill would enable the Governor to declare a Special Region which, in the case of Karamoja, would be Karamoja District. Within it, the Provincial Commissioner could then declare prohibited areas, with prohibitions on the movement of cattle and people.

Mr. Lokolimoi said there were reasons why the Karamojong resorted to these "illicit sports"—disease, ignorance and poverty were the main ones.

For a Karamojong to marry he must have more than fifty cattle; again cattle provided their staple food.

Mr. Cartland said he greatly appreciated the need for social changes in the district and the development of Karamoja's natural resources. It was Government's policy to go ahead with both projects. "It is not easy to introduce social change into an extremely primitive community", he said. "There is a fair amount of 'consumer opposition' in Karamoja to all forms of change. It is a matter of persuading people into a different attitude. But I agree that we could have done more in the past, and we shall try to do more in the future. New water supplies, new grazing for the cattle, and a new way of life for the people, may take us one or two generations to achieve. In the interim period, we may have to take strict measures to prevent any of the more objectionable practices at present going on."

In an editorial comment the *Uganda Argus* (September 24, 1958) said: "It indicates the speed of change in this country that Legislative Council should spend an afternoon debating the problems of control of cattle raiding and development in Karamoja, and, even more, that one of the major speeches in the debate should be made by a Member from the district, Mr. Lokolimoi.

"Must we wait for Karamoja is a good rhetorical question to ask when the constitutional stages to self-government are discussed. To that the answer is clearly no. But it is not surprising that political leaders are concerned to see development there. The interest of some Representative Members in Karamoja had been shown before in the debate on the control of entry into the district. Two years ago the Uganda National Congress organized political meetings in Moroto. This, however, is not likely to be a very profitable line of approach. The basic framework of education and development in which political activity is appropriate and has meaning does not exist. But it is true that the whole of Uganda has an interest in development and maintaining law and order in Karamoja. . . .

"The ready panacea is education and the provision of incentives to acquire cash. But in Karamoja it seems to be the case that the supply of education at present exceeds the demand which, in contrast to other places, has to be stimulated. . . .

"But the Northern Province report for 1956 (the latest available) remarks that 'it is now considered unlikely that the rehabilitation scheme can produce an overall change in the face of Karamoja in a five year period'. Emphasis has been placed upon obtaining a wide range of basic information which can be used in such practical measures as prove physically and politically possible. . . . Meanwhile, it would seem worth considering inviting some Members of Legislative Council to go and study the natural resources problems at first hand. Karamoja is no longer remote but not much information is available about its problems. It has been suggested that one element in the Karamoja problem has been the increase in the number of Suk within the district over the years, coming from Kenya which also therefore enters the picture. The assumption in a scientific age is that it must be possible to find a solution to all social problems. Is this so in Karamoja?"

U.C.P. Leaders Acquitted

Two leaders of the United Congress Party, Mr. Godfrey Binaisa and Dr. E. M. K. Muwazi, were acquitted on a charge of sedition when the Resident Magistrate, Mr. G. Farmer, ruled that there was no case for them to answer at Kampala Magistrates Court. In his judgment Mr. Farmer said: "Whatever may be the case in totalitarian countries, the broad principle of a right to free speech is a part of the law of this Protectorate, and Her Majesty's Courts may always be counted upon to defend the proper exercise of this precious heritage."

Mr. Farmer said he had been asked to consider the statement as a whole. He had done so and the crux of the document seemed to be a paragraph which began: "The United Congress Party therefore calls upon the Great Lukiko, the Rukuratos, the Eishengyero, all Councils and all people of this country to drop all the quarrels and useless side issues and to concentrate on the one and only target which is the achievement of independence."

"In my view," said Mr. Farmer, "this is a clear offer to promote good-will between Africans and I hardly think it is necessary to comment on it any further."

Other parts of the statement, he continued, could be construed as a tribute to the Government, in suggesting that it was composed of men who were willing to search their consciences, have second thoughts, and come to a different conclusion on the question of self-government.

The statement had accused the Government of using an "imperialist trap". Mr. Farmer described this as "so much verbiage carrying a faintly dated air". He had read the statement many times and with extreme care. He could not hold that it brought the Government into hatred or contempt, raised discontent or disaffection among the African inhabitants or promoted feelings of ill-will and hostility. (*Uganda Argus*, September 27, 1958.)

Mulira Appeal Upheld

A ruling of a Buganda native court that the Speaker of the Lukiko had power to expel Mr. E. Mulira, President of the Progressive Party, from membership of the Lukiko has been reversed by Mr. J. E. Hopkinson, acting judicial adviser in Buganda. In allowing Mr. Mulira's appeal against the native court ruling, Mr. Hopkinson said there was nothing to prevent him resuming his seat provided he first apologized, as required by the rules of the House.

Mr. Mulira was expelled in 1956 after walking out of the Lukiko¹ when a motion calling for the direct election of representative members was rejected. (*The Times*, October 22, 1958.)

Uganda House

Opening Uganda House, the new London building of the Uganda Government, the Governor, Sir Frederick Crawford, said it would some day be a corner of a self-governing Uganda "set down in the heart of the Commonwealth". Sir Frederick said there had been a "lively interest" in the building in Uganda during the last two or three years and added that some people had advocated the establishment of Uganda's own Commissioner in London and the severance of the country's connexion with the East Africa Commissioner and his office.

He added that, in his view, as Uganda advanced towards self-government the establishment of a Uganda Commissioner would in time prove inevitable. "But at present there is no need or justification for it," he said.

There was a demonstration outside the building staged by the Uganda Association to protest against the fact that Sir Amar Maini, the Minister of Corporations and Regional Communications, received the guests on behalf of the Uganda Government. They said it was not right for an Indian to represent Uganda Africans. (*Uganda Argus*, October 11 and 13, 1958.)

British Somaliland

Constitutional Development

SIR THEODORE PIKE, the Governor, came to London for talks with the Colonial Secretary. The Special Correspondent of *The Times* (October 17, 1958) said: "The problem is how, at this late stage, to get them (the Somalis) forward in an orderly, phased process of political advance without subjecting them to such frustration and delays as to destroy confidence in British intentions. They are very near the brink at the moment. If confidence fails they will undoubtedly turn to General Abdul Nasser for assistance. The consequences might even be the ultimate inclusion of the Somali countries within the United Arab Republic."

"Logically, the next step would be to introduce elections while retaining an official majority in the Chamber, which would be firmly under the control of the Governor. But even the moderates, Mr. Mariano's National United Front, are demanding an elected majority, plus Somalis in the Executive Council. The extremists, the Somali National League, whose offices sport portraits of Nasser and who have brought out the first number of a paper in Arabic, are talking of immediate union with Somalia without bothering about any further internal constitutional changes."

"The choice is therefore between continuing an orderly political advance by stages, thereby risking the country's going sour through mistrust and frustration, and crash-changing into a higher political gear at once, thereby risking some form of political breakdown through lack of experience in democracy. Both are real dangers."

¹DIGEST IV, 1.

"There seems one possible way in between. As always, it is confidence that counts. The Somali leaders might accept a steadier pace of advance if the British Government were to make a clear statement of their aims. This would mean a dated programme for further political development. It would mean also a clear pledge that Somaliland would have the right to exercise self-determination on attaining independence. That is to say, it would be possible for the Somalis to join with Somalia if they wished, which they almost certainly would. However, such declarations will need to be accompanied by real concessions immediately, including perhaps the inclusion of Somalis on the Executive Council."

He added that special problems arose from the weak economy and the Scheduled Areas where more than one-third of the population cross the Ethiopian border for seasonal grazing each year.

The Commission on Somalization¹ was being boycotted by the Somalis because the terms of reference did not include provision for recommendations for the compulsory retirement of expatriate officials on abolition and compensation terms.

Earlier, a senior officer of the Government said in an interview with the press and Radio Somali: "Somalization is quite separate from Constitutional development, and questions of self government. Somalization concerns the civil service and the problem of training and advancing Somalis to take positions of responsibility in the Government service and replacing expatriate officials. Constitutional development concerns the manner in which the country should be governed and the institutions required for the purpose." (*War Somali Sidihi*, September 6, 1958.)

Somalia

Municipal Elections

Municipal elections have been held in Somalia. A General Election is due next year. The present Government is formed by the Somali Youth League under the Premiership of Abdullahi, Issa.

The parties competing were five in number. The Somali Youth League Party, now in power, stands for a greater Somalia through unification by peaceful means of all the Somali peoples now spread over five territories, including Ethiopia. The H.D.M.S. (Constitutional Democratic Party) is a regional party with a tribal basis; it has its strength among the semi-settled Somalis south of Mogadishu and favours a federal form of government internally.

The Greater Somali League is a recent breakaway from the Somali Youth League and pursues much the same objective as the latter within the Afro-Asian setting. The other two parties are the Liberals and a local party called the Benadir Youth Union.

Women were voting for the first time and exercised the right fully. The age qualification had been lowered from 21 to 18.

In eighteen out of forty-five constituencies the Somali Youth League was returned unopposed. The final results were:

	Seats
Somali Youth League	418
H.D.M.S.	175
Greater Somalia League	38
Benadir Youth Union	6
Liberal Party	27
Others	3
	<hr/>
	667
	<hr/>

(*War Somali Sidihi*, November 1, 1958.)

SUDAN

Change of Government

GENERAL IBRAHIM ABOUD took over the Government of the Sudan on November 17 from the Prime Minister, Sayed Abdullah Khalil. General Abboud was Commander-in-Chief of the Sudanese Army. In a

¹DIGEST VI, 2.

broadcast statement he said he would remove "fabricated dissension" between the Sudan and the United Arab Republic. He ordered the immediate dissolution of all political parties, supervision of all newspapers and the prohibition of any demonstrations or political meetings.

Details of Loans and Aid

In the financial year 1958-59, the Sudan Government will receive \$30,600,000 from America. It is allocated in three parts: The first part (\$5,600,000) deals with technical and economic aid and includes supply of experts, sending missions for study courses abroad, purchase of instruments and equipment and the appointment of foreign companies to aid in the execution of the development programmes. It will affect Rural Water Supplies; Roads; the spread of Education; and Agricultural development.

The second part includes indirect aid offered by the U.S.A. Government in financing by sterling some imports, as assigned by the Sudan Government, which will pay in return Sudan currency equal to the foreign currency. This currency paid by the Sudan Government is to be used to meet the local costs for expenditure on the projects which were agreed upon in the first part of the aid. (\$15 million.)

The third part will be in the form of loans from the American Economic Development Fund to the Government or other organizations such as companies and individuals for the execution of constructional projects which are approved by the Sudan Government. These loans are repaid on long-term period which may extend to twenty years. (\$10 million.)

The Board of Directors of the International Monetary Fund has agreed to lend the Sudan the sum of \$5 million in accordance with the guiding principles of the I.M.F. which aim at helping member-States when faced by an unfavourable balance of payment.

Barclays Bank, D.C.O., agreed to extend to the Sudan Gezira Board credit facilities up to the equivalent of £3 million (sterling). The objective of this operation is to replenish the cash reserves of the Gezira Board, adversely affected by the slow movement of the remaining stocks of cotton and by the payments already made to the Gezira tenants. (*Sudan News Bulletin*, October 15, 1958.)

The British Government agreed, subject to parliamentary approval, that they will give Sudan a quantity of arms and equipment and will provide free training for some Sudanese pilots. (*The Times*, October 20, 1958.)

Relations with the Arab League

In reply to a U.A.R. note which said that the Sudan had diverted the Nile waters without waiting for its consent, the Sudanese Government repeated the view that "the Sudanese Republic has not at any time recognized that the 1929 agreement was binding on it". (The 1929 agreement provided for the sharing of the Nile waters between the two countries.)

The Sudan began diverting water on July 1 as the first stage of the Managil project designed to double the existing 1 million acres under cultivation in the rich cotton growing area south of Khartoum. Sudanese officials maintained that water available to Egypt would not be reduced by the Managil project. (*Uganda Argus*, August 27, 1958.)

The *Manchester Guardian* (October 18, 1958) reported "No solution is yet in sight of the quarrel over the Nile waters, following the incident over extra Sudanese withdrawals to test the new irrigation canals for the new Managil cotton scheme...."

"Nor do the Sudanese accept Egypt's plan to harness the 32 million cubic metres of Nile water that now spill annually into the Mediterranean. This would share the 10 million cubic metres loss through evaporation equally and allocate the balance in the ratio 13 to 9 between the Sudan and her northern neighbour. The agreement for repatriation of Egyptian currency, under which £2 million worth of sugar should come from Egypt every year for four years, has broken down. Finally, local trading in such commodities as dates is practically at a standstill."

"However, these difficulties, undoubtedly reflecting Egypt's continued resentment over the Sudan's failure to federate with her in 1956, do not add up to hostility in the eyes of most Sudanese. They will insist on their rights, they say, but remain loyal to the Arab world and sympathetic to President Nasser's leadership. Only Arab unity is seen in terms of a common policy, not as a larger United Arab Republic which would take President Nasser's writ to the borders of Uganda and Ethiopia...."

"If the Sudan is a loyal member of the Arab League it is also conscious of its potential role as the link between the Arab world and black Africa—of whose racial fusion the Sudanese people themselves provide a handsome advertisement. There is great interest here in Ghana, Nigeria, and the other new African states, along with a practical scepticism for Dr. Nkrumah's ideals. . . .

"Britain is still popular, in spite of Suez and her failure to increase her cotton purchases. . . .

"As for the Nile, hopes are turning to the new United Nations economic organization for Africa, to be set up in Addis Ababa. One of the Sudan's leading figures, Dr. Mekki Abbas, former director of the Gezira cotton scheme, will be there, and the question of the Nile waters may find itself high on the list of problems to be tackled on an Africa-wide basis."

Sayed Mohamed Ahmed Mahgoub, the Foreign Minister, said Sudan had expressed neither approval nor disapproval of the High Dam project, but it was "part and parcel of the general agreement between the U.A.R. and Sudan for the control and distribution of the Nile waters". The initial work towards the construction of the Aswan High Dam will not affect Sudan, nor is it Sudan's concern from where the U.A.R. gets the money for it. The project will involve Sudan only when water is to be stored. (*The Times*, October 27, 1958.)

Political Gatherings Forbidden

All political gatherings, processions and demonstrations were banned in Khartoum and Omdurman on the ground that they might threaten peace and security. The Opposition National Unionist Party had planned a series of party rallies; its main criticisms are that the Government has failed to deal adequately with the economic crisis and has too close links with the Western world. Perhaps another reason for the ban on processions is recent workers' demonstrations called by the Communist-dominated Trade Union Federation, which Government has refused to recognize as the legal voice of organized labour. (*East Africa and Rhodesia*, October 30, 1958.)

Missionaries Expelled

Three Italian Roman Catholic priests of the Verona Fathers mission in southern Sudan have been ordered to leave the country. Two of them have been accused of practising medicine without a licence, contrary to a public health ordinance; the third has been accused of "interfering with local customs".

The expulsion orders were followed by a directive from the Governor of Equatoria Province, where the priests are working, to the heads of the mission, saying that the Church's work should be Sudanized quickly, for "it is high time that Sudanese clergy took over from foreigners". Already much has been done. Both the Roman Catholics and the Church Missionary Society have Sudanese bishops. (*The Times*, November 7, 1958.)

SOUTH AFRICA

New Cabinet

In accordance with the South Africa Act (Amendment Act) passed against strong opposition during the last session of Parliament, the Cabinet now has sixteen Ministers. The new Cabinet is as follows:

Prime Minister, Dr. H. F. Verwoerd;
Minister of Justice and Leader of the House of Assembly, C. R. Swart;
Minister of Lands, Forestry and Public Works, P. O. Sauer;
Minister of External Affairs, E. H. Louw;
Minister of Finance, Dr. T. E. Dönges;
Minister of Defence, F. C. Erasmus;
Minister of Railways and Transport, B. J. Schoeman;
Minister of the Interior, J. F. Naude;
Minister of Economic Affairs, Dr. A. J. R. van Rhijn (who will be succeeded on December 1 by Dr. N. Diederichs);
Minister of Education, Arts and Science, Social Welfare and Pensions, J. J. Serfontein;
Minister of Labour and Mines, J. de Klerk;

Minister of Bantu Administration and Development, M. D. C. de Wet

Nel;

Minister of Agriculture, Technical Services and Water Affairs, P. M. K. le Roux;

Minister of Bantu Education, W. A. Maree;

Minister of Posts and Telegraphs and Health, Dr. J. A. M. Hertzog;

Minister of Agricultural Economics and Marketing, D. C. H. Uys.

There are also four Deputy Ministers, who will not attend Cabinet meetings. They are to receive a special allowance of £1,750 a year, and the Act empowers the Prime Minister to appoint four more Deputy Ministers. (*Rand Daily Mail*, October 21, 1958.)

The *S.A. Sunday Times* (October 21, 1958) wrote: "The new Cabinet conforms to the grandiose Verwoerdian pattern. It is larger, more expensive, more complicated to work, probably more eager for action, certainly more extreme in its views. It will pile on legislation and tighten administrative controls until everyone—White and Black alike—suffers its interference. Life will be more difficult and less free for us all; and South Africa will take another great stride away from democracy."

"Dr. Verwoerd's first need was to strengthen his personal support in the Cabinet. In doing so he has brought in some of the wildest men of the North and increased the Transvaal's dominance of the Nationalist Party. Since Dr. Malan retired the decline of Cape Nationalism has been swift indeed. Dr. Dönges has been granted the portfolio of Finance and so, in the official rankings, stands next to the great man himself. But he has been put there only to avoid a direct show-down with the Cape and he will remain there only so long as he implicitly obeys the *Baas*.

"As to the new men in the Cabinet, their names do not portend a policy of moderation. Dr. Albert Hertzog is one of the most bitter and irrational of the extremists. Dr. Diederichs, judging by his earlier writings, is a convinced totalitarian and (significant, since he is to be Minister of Economic Affairs) a believer in the subordination of individual interests and State control of all key industries.

"Naturally Dr. Verwoerd had been at pains to build up the hierarchy of his Native Empire. . . . There are to be two full Ministers with separate departments, a deputy Minister and some sort of co-ordinating committee of which the Prime Minister (needless to say) will be chairman whenever he wants to be"

Party Policies

Speaking in the House of Assembly, Dr. Verwoerd said: "If the Nationalist Party achieves its aims—the extension of the White man's authority in South Africa and the attainment of a republic—parties like the Hofmeyr movement and a Liberal Party and capitalist parties will disappear . . . but not suppressed or eliminated by National Socialist or Communist methods. The basis of our prevailing differences will fall away."

"There will no longer be a United Party taking up certain attitudes on constitutional and race relations issues, as it does today; nor a Nationalist Party which, in its struggle for freedom and in its struggle on behalf of the Whites in South Africa, takes up a different attitude. Those problems will be solved and in that new situation naturally there will be new party orientations. . . .

"There will be no place in such a republic—in which the colour problem has been solved—for a Liberal Party striving for a common government of White and Non-White. . . .

"I am prepared to consider the idea that when the territorial authorities in the Native areas have developed sufficiently, the Government should have a political representative there—apart from its officials—to maintain contact between the territorial authority and the Government or Parliament . . . a sort of Lieut.-Governor.

"The Opposition must not think that the only way of establishing relations between White South Africa and the Native Areas is through a federation—that is, through a mixed joint government. There is another way as exemplified in the development of the British Commonwealth. Britain never contended that her territories should be represented in her Parliament. The fundamental principle of the British Parliament is a separate Parliament in which the subordinate territories have no place. . . .

"My election as leader has been interpreted as a triumph for those who believe in a small isolated republic. But we will remain the foremost

bulwark of Western civilization in any conflict between the East and the West . . . we can even, for example, become better friends of Britain.

"When we tell them that the republic will be democratic and that both languages will be accredited with full rights, they do not believe us. How can we persuade the country and the world and the United Party that we really want democratic government and that we really will maintain both languages unless we let them experience it by making South Africa a republic?

"We witness a wave of liberalism over the world. Does the Hon. Member (Sir De Villiers Graaff) imagine that he is going to assist White civilization here if he brings out such numbers of people from overseas with their foreign orientations? Or is he keen now on immigration because he thinks he can get the inhabitants of Notting Hill to come here? If so, I have sympathy with him, because there I think we will get support.

"If you allow unrestricted immigration instead of safeguarding White civilization, you confront it with an additional danger." (*S.A. Sunday Times*, September 21, 1958.)

Pretoria News (September 19, 1958) commented: "If Dr. Verwoerd really believes that the bringing about of a republic will make people change their views on colour relations in South Africa (which are quite irrelevant to the republican issue) he is the victim of a truly stupendous self-delusion. And if he does not mean that people will change their views how can we explain how there will be 'no place for them' unless they are to be suppressed? The statement is either silly or sinister."

The *Rand Daily Mail* (October 30, 1958) reported that two resolutions on the confidential agenda, asking Congress to consult responsible representatives of the Non-Europeans, and to press for a basis of inter-racial representation for all South Africans, irrespective of colour, were "side-tracked" by an amendment calling on delegates to endorse the colour policy of the party as adopted by the Union congress in 1954. When the congress accepted the amendment it was ruled that the resolutions fell away and they were not put to the vote.

No voting was taken on a resolution asking the party to stop trying to make political capital out of Government expenditure on African education and essential services. It was decided that this resolution should be submitted to the executive committee of the Party.

Professor P. V. Pistorius, Professor of Greek at the Pretoria University, and one of the thirteen "rebel" professors who signed a protest against the Government's Senate Act in 1955, addressing the students' branch of the Liberal Party in Johannesburg said: "The Liberal Party and the National Party are the only two parties in South Africa with an ideal. I prefer the ideal of the Liberal Party.

"Through conscious legislation we have effected our own disaster and our own end. We have been so divided into groups that one wonders what more can be thought out to divide group from group. . . . Race discrimination, considered a crime in England and the United States, is here a law. I believe that our present policies mean death in far less than 100 years, and I refuse to believe that liberalism, the practical application of justice and the recognition of the basic rights of human beings, irrespective of race and colour, could mean death now, or at any future time.

"There are large numbers of people who are beginning to doubt whether we are adopting the best methods for preserving the things we claim we are preserving and whether we will eventually succeed in ensuring territorial apartheid. A growing sense of doubt is attacking the Nationalist intelligentsia and the members of S.A.B.R.A. . . .

"I have been struck by the moderate attitude of the A.N.C. leaders, their willingness to transcend group and race loyalties, which are not dominant values, and my appeal is to the Africans. Their future in South Africa is assured; the future of the White man . . . lies in their hands."

Speaking of the alliance of the A.N.C. with the Congress of Democrats, Professor Pistorius said: "I will never have any dealings with any organization that does not honour Western civilization or Christian values. I have no willingness to exchange one tyranny for another." The C.O.D. was an extreme leftist organization, and the alliance with it of the A.N.C. had alienated the sympathies of tens of thousands of people. This alliance was responsible for the fact that there was no effective opposition to the Government. (*Contact*, October 18, 1958.)

City Authorities¹

The *S.A. Sunday Express* (September 21, 1958) wrote: "The Johannesburg City Council has finally and completely capitulated to Dr. Verwoerd. Its last act of defiance was to hold out against the Minister over his policy of ethnic grouping, but last week it surrendered on this point too. The time has now come when not a single aspect of the city's laws dealing with non-Europeans is in fact in the hands of the city; Dr. Verwoerd controls it all. . . .

"The council cannot now house a single Bantu man or woman without the permission of Dr. Verwoerd. It must follow his policy of ethnic grouping; it can establish a Bantu residential area only with the Minister's approval, and it can have no say for whom it will build houses. For instance, it is committed now to house people from Alexandra, a peri-urban area outside the city, even before it tackles the problem of housing Bantu within the city. . . .

"No Bantu male may now be employed unless he has passed through the municipality's labour bureau, which is in turn committed to screening every work seeker. Even though more than 1,000 people have registered their need for domestic servants with this bureau and have been unable to find servants, they may not employ a 'foreign' servant. It is an offence carrying fines of up to £25. A 'foreign' servant who leaves his employer is automatically 'endorsed out' of the city. He may not be re-employed.

"So far as gatherings, meetings or any social event at which Bantu may be present are concerned, the Minister now has complete control of the city: he has an unfettered right to prohibit them. He has the further unfettered right to prohibit any person from holding a meeting at which a non-European may be present. His only obligation is to inform the city of his intention to ban a gathering and give it a time to state its objections. . . . In addition, the Minister has a 'watchdog committee' to see that the Council carries out the Government's Bantu policy. Its effect, the councillors told me, will be that of a 'shadow' city council, ready to intervene on the slightest pretext."

Passes²

The *Manchester Guardian* (October 22, 1958) reported: "Nearly a thousand African women (are) in police custody after demonstrations against the Government's policy of issuing identity books to all African women. About 500 were arrested when they marched from Sophiatown to the Native Affairs Department offices. Another 460 later surrendered voluntarily to the police at Newtown, near the city centre, saying that they should be arrested too as they felt the same way as the demonstrators.

"In (this) demonstration, the latest of a series of protests against this aspect of the Government's *apartheid* policy, the women marched in a half-mile column, many with babies on their backs. They sang, stamped their feet, and gave the 'thumbs up' sign of the African National Congress.

"When they were arrested after a warning by a force of about fifty White and African police they climbed without protest into vans which took them to a nearby police station where they were charged with forming an unauthorized procession. The arrests may affect the servant position. Some of the women shouted: 'Tell our madams we won't be at work tomorrow.'"

A further 800-900 African women were arrested on October 27 for demonstrating against the issue of reference books. The majority of the women travelled from Alexandra township to the city in five bus loads and tried to march in procession from the bus terminus to the Pass Office but were warned by the police that the procession was illegal. They refused to disperse and when told they would be arrested the women cheered. They sang and danced as police vans drove up to remove them.

At a meeting in Alexandra the women had decided it was their turn to continue the protest started by the Sophiatown women. Their arrests brought the total in the campaign to about 1,900. (*The Times* and *Pretoria News*, October 28, 1958.)

On October 27, 900 women appeared at an eight-hour hearing in a Johannesburg magistrate's court on charges arising out of the demonstrations. The hearing lasted well into the evening, with nearly 200 women appearing in the course of an hour at one stage. Many of them had babies

¹DIGEST VI, 1.

²DIGEST V, 1-VI, 2.

strapped to their backs. Almost all of the accused chanted "Asinimali" (we have no money) when offered bail of £2. The women were immediately sent back to their cells as their three lawyers, working in relays, succeeded in gaining an adjournment. (*The Times*, October 28, 1958.)

Three days later, 133 women appeared before Mr. W. D. B. Hyde in the first mass trial arising out of the protests. The charge against them was framed under the municipal traffic by-laws read with the Criminal Law Amendment Act of 1953. The trial started with an exception by the defence to the charge, contending that count one did not disclose an offence.

Count one, later withdrawn, was that they had unlawfully congregated to cause an obstruction, the offence having been committed by way of protest or in support of a campaign against a law for the variation or limitation of the application or administration of a law, namely the Native (Abolition of Passes and Co-ordination of Documents) Act of 1952. Count two, to which all pleaded not guilty, alleged that they congregated and caused an obstruction and failed to disperse after being ordered to do so by an authorized official, this offence being committed by way of protest as alleged in count one. (*Star*, October 30, 1958.)

Another batch of 335 women, who appeared before Mr. W. G. Vos, were told that the charges against them had been withdrawn and they were ordered "to leave the court precincts quietly". When they appeared at the main door of the court, a crowd of Africans, mainly men, raised their thumbs in the "Afrika" salute and cheered. A senior police officer ordered a clearance of the streets within fifty yards of the court entrance, and about fifty policemen charged the crowd, tear gas being used against those who did not immediately disperse. Those who suffered most were European office workers in adjacent buildings, television cameramen and a traffic inspector. Later, when 372 women were released on remand, the police shepherded them quietly from the area.

In the afternoon 372 more appeared and were remanded to November 3. On November 6, 133 women were convicted of causing an obstruction. They were each fined £3 (or one month) and were allowed time to pay their fines. The Magistrate expressed appreciation of the women's conduct during the trial. (*Star*, October 30, *Rand Daily Mail*, October 31, *The Times*, October 31 and November 7, 1958.)

The Star (November 7, 1958) wrote: "In sentencing (these) women . . . the magistrate told (them) in effect that they must consider themselves lucky to have escaped much more drastic punishment. What he had in mind was the Public Safety Act of 1953, passed in the heat of the moment engendered by the defiance campaign in that year. The Act provides that a person convicted of an offence proved to have been committed 'by way of protest or in support of any campaign against any law' or for the repeal or modification of a law may be fined £300, or sent to jail for up to three years with or without a lashing. Though stressing that the law does not deny the right of protest the magistrate interpreted it as meaning that 'you may not commit an offence when you are campaigning or protesting against a law'

"We do not question the magistrate's decision on the charge of obstruction. But it is surely going too far to suggest that the breach of a by-law, or say a minor traffic offence, would suffice to bring down upon the persons concerned the severe penalties implied by the Court's dictum. If that were so, the right to protest, however legitimately exercised, would be killed as effectively as if it were forbidden by law.

"We can hardly imagine that the Courts, if put to the test, would countenance any manifest injustice of this kind. Nevertheless, the wording of the Public Safety Act might well be re-examined and, if need be, changed to avoid ambiguity and possible misinterpretation. Indeed, its provisions and language are such that its strict application could vitiate the normal functioning of a democratic society.

"No South African Government, it might be said, would dare to use the law in that way. But they should not be exposed to the temptation of doing so."

Fines of £5 or a month's imprisonment were imposed on 120 African women on November 11. The women pleaded guilty to a charge of failure to disperse, which was an alternative to the main charge of taking part in a public procession without the written permission of the Town Clerk. (*Manchester Guardian*, November 12, 1958.)

The majority of the remanded women (who were released on bail of £1

each) live in Sophiatown. No arrangements were made for special transport and to ensure their arrival at court on time they might have to walk all the way. Meanwhile food given by Europeans and Africans poured into the A.N.C. office. It was being used to feed the African women still in prison and in various police cells.

The *Rand Daily Mail* (October 29, 1958) wrote: "The demonstrations . . . have almost assumed the character of a miniature defiance campaign. There is active courting of arrest by the demonstrators and a clearly expressed common purpose among them. There are indications too, of background organization—for example, arrangements for the care of the children of those who might be sent to jail.

"According to the Commissioner of Police, the demonstrations are Communist-inspired and indeed the likelihood is that troublemakers are busy behind the scenes. . . . On the other hand, it would be a mistake to regard the demonstrations as solely the product of agitators. For a long time African women have entertained strong suspicions towards the reference books they are now being pressed to take. Their reasons may not always be well-founded but they are at least understandable in human terms. Reference books are seen by African women as extending to them the pass system so hated by their menfolk, a system that sends over a thousand Africans a day to prison on statutory offences of one kind or another and subjects tens of thousands more to interference and personal indignity. That the system is necessary under present conditions in South Africa is not at issue here; what must be noted is the dreadful effect it has on human relations along that critical frontier of contact between the races. It is small wonder that African women do not wish to share what passes have meant to African men.

"Yet what should one think of the recent demonstrations? They entail hardship and suffering with no foreseeable prospect of benefit to anyone. In other centres the women are taking reference books quietly and are finding that this brings no disabilities so far. If there is any conclusion to be drawn from the events of the past few days it is that every effort will have to be made in the future to administer the pass laws in such a way as to regain some of the lost confidence and respect of the African population. Otherwise these laws will remain one of the greatest single obstacles to better race relations."

The Times (October 29, 1958) wrote: "The demonstrations have confronted the Government with a problem which will probably result in the forcible removal of African demonstrators and agitators from the Johannesburg area. . . .

"The Department of Bantu Administration and Development knows that many of those who took part in the demonstrations do not qualify either by residence or through employment to be in the urban area of Johannesburg. Consideration is therefore being given to their removal. Such a policy, if adopted, would mean deportation in a number of cases to British High Commission Territories in South Africa, from where it is believed many of these women came originally.

"The Acting Secretary of the Department of Bantu Administration and Development said the department was well aware that most of the urban Bantu population were law-abiding people and realized the advantages of being in possession of reference books. These books were of value to them in several ways as identification documents. Municipalities were not allowed to house Bantu unless they qualified residentially. Those who so qualified, in the case of Johannesburg for example, could best prove it by means of their reference books."

The Chief Native Commissioner for the Witwatersrand said that in terms of the Natives (Abolition of Passes and Co-ordination of Documents) Act 1952, African women born in the Union, South-West Africa or the Protectorates who had attained the age of sixteen years were required to be in possession of reference books. Identity cards in terms of the Population Registration Act, 1950, were contained in the books. The issue of reference books must not be confused with the application of the provisions of Section 10 of the Natives (Urban Areas) Consolidation Act 1945 (i.e., influx control provisions) to African women. The two were quite independent of each other.

In accordance with the latter provision no Union or South-West African woman might remain in an urban or proclaimed area such as Johannesburg unless she had since birth resided there continuously, or had

worked there continuously for one employer for not less than ten years; or had been lawfully residing there for not less than fifteen years and had not been sentenced to a fine of £50 or imprisonment exceeding six months; or she was the wife or unmarried daughter of any African qualified as indicated above and with whom she ordinarily resided or she had been given written permission to remain by an officer of the municipality.

African women who fell within the three groups mentioned were not in law required to be in possession of any document to prove their right to be in Johannesburg, but, to avoid possibility of difficulty, were advised to obtain from the municipal authorities a document stating their qualification. Provision had been made for an appropriate endorsement in a reference book. Native women born in the Protectorates required in addition a written permit issued by the Secretary for Native Affairs in terms of Section 12 of the Natives (Urban Areas) Consolidation Act, 1945. (*Star*, October 16, 1958.)

The *Rand Daily Mail* (October 30, 1958) reported that thousands of leaflets urging African women to be present at the court had been distributed in Johannesburg as a gesture of sympathy to those on trial. The leaflets, issued by the African National Congress to African women domestic servants in Johannesburg's suburbs, stated: "Women everywhere don't want passes. Thousands of women have demonstrated. They want your support. These are the women from the townships. Where are you women from the suburbs? Are you ready to carry a pass? All Africans know the horrors of pass laws. Jails are full of our brothers. They are not thieves. . . . They are not murderers. But they are in jail all the same."

Pamphlets with the headline "Housewives, you do not have to register your domestic servant" were handed to Johannesburg pedestrians by African men and women. They were issued by the Congress of Democrats, and said that employers of African domestic servants were not legally compelled to register their employees, nor did African women have to have reference books.

Four points were emphasized in the pamphlets: That African women might be exposed to indignity and humiliation at the hands of policemen; they might be sent to farms to work in the fields; they would live in constant fear of arrest; and they might be torn from their homes and children. The pamphlets end with an appeal to employers not to allow themselves to be bluffed into helping to force passes on their domestic servants.

The Chief Information Officer of the Department of Bantu Administration and Development said that if the African women in Johannesburg heeded the advice of the Congress, serious consideration would have to be given to proclaiming Johannesburg as an area where it was compulsory to carry reference books. It was true that African women could not be compelled to have the books at present.

African women employed as domestic servants need a permit "to show that they don't need a permit", Mr. Jack Mullineux, registering officer of the Johannesburg department of Non-European Affairs, told a meeting of city housewives convened by the Johannesburg branch of the National Council of Women. (*Rand Daily Mail*, November 4 and 5, 1958.)

The Liberal Party at its provincial congress in Johannesburg passed a resolution demanding "the repeal of all existing laws that require South African citizens, under penalty, to carry and produce on demand, documents of identity, or any other forms of authority or permit, the lack of which prevents or restricts free movement, residence or employment".

At a private meeting of representatives of non-political as well as political organizations, the Black Sash will urge the setting up of a public committee to oppose the Native Affairs Department's "pass offensive". It has written to the Minister of Bantu Administration and Development, Mr. M. C. de Wet Nel, asking him to receive a deputation. Similar requests have been made to Sir De Villiers Graaff, provincial leader of the United Party, and the Johannesburg City Council's Non-European Affairs Committee. (*S.A. Sunday Times*, November 9, 1958.)

Forty-three African men and women appeared before Mr. Justice Badenhorst at Rustenburg charged with public violence. The charge arose out of an anti-pass book riot at Witkleigat, near Zeerust, on Christmas Day 1957. The Crown alleged that the riots were organized in Newclare, Johannesburg. It said that on December 25, 1957, a van carrying twenty-

three people arrived from Johannesburg, and that during their four-hour stay, various acts of violence, arson and the burning of pass books occurred.

Edward Lencoe, chief of the Bafurutse, said that before the riot, certain people from Johannesburg had visited his village and that pass books were burnt and threats made. When the trouble started he tried to telephone the police, but found the phone was out of order. He then set off on horseback to summon them. On his return he found that buildings had been burnt, one of his counsellors stabbed to death, and a number of his followers, including his wife, seriously assaulted. (*Rand Daily Mail*, September 23, 1958.)

New Age (September 18, 1958) reported that earlier a batch of eight accused from Lezeuwfontein village in Zeerust were found guilty of public violence. Seven of them were sentenced to 12 months imprisonment, the eighth, a juvenile, to six strokes. In all cases, the accused had been in jail awaiting trial for a period of not less than nine months.

Treason Trial¹

The Treason Trial has been divided into two parts. According to an official notice, a special criminal court (consisting of the same judges as before) will sit on January 19 to try without jury thirty of the original ninety-one accused on a charge of treason. It will sit again on April 20 to try the remainder on a similar charge.

This follows the announcement on October 13 by Mr. Oswald Pirow, Q.C., leading Counsel for the Prosecution, that he was withdrawing the indictment against the ninety-one people charged with Treason. The Attorney-General, Mr. W. J. Mackenzie, said later: "The accused are not discharged. They are in the same position as they were at the end of the preparatory examination and are on bail." (*Star and Pretoria News*, October 13, 1958.)

When the Court resumed on September 29, Mr. Pirow formally withdrew the remaining alternative charge involving contraventions of the Suppression of Communism Act. On the charge of high treason, he made an admission that the Crown relied entirely on proof of conspiracy and, if it failed in that respect, there was no case. Thus the Crown no longer relied on proving a common purpose between the accused or that they had acted in concert. (*Pretoria News*, September 29, *Manchester Guardian*, September 30, 1958.)

Defence then argued on a new application to quash the three-times amended indictment. The material points were:

(a) Violence is an essential element of high treason. Thus the speeches and writings alleged could never be overt acts of that crime unless they constituted an incitement to commit violent acts against the State. The majority of overt acts alleged in the indictment were incapable of constituting incitements to violence and (it follows) high treason. On the contrary they were lawful political discussion. (b) Possession of documents (the exhibits found with the accused) is not an "act" at all and so is not an overt act of high treason. (c) The order for further particulars had not been properly complied with and the indictment was still vague and embarrassing. For instance, reliance was placed on thousands of documents and speeches in the allegation of "conspiracy". Some were irrelevant and in other cases it was not clear what portion of lengthy documents was relied on. Documents were excised from the indictment in one part and yet relied on in other parts of the record. (d) Misjoinder: the Court had earlier upheld certain Crown allegations on the ground that certain acts were "in a common course of conduct" on Mr. Trengrove's submissions. The further particulars furnished in response to the Court's order showed that some of the acts referred to were those of individual accused only and thus did not fall within the concept of a "course of conduct". The defence also protested against an alleged irregularity whereby a statement of the proposed evidence of the Catholic priest, Fr. Borchenski, was made available to the Judges.

An adjournment then took place until October 13 when Mr. Pirow, before replying to the defence application to quash the amended indictment, gave notice of yet a fourth application to amend the indictment. In making his new application he did not concede any defects in the charge,

¹DIGEST IV, 4-5; V, 1-VI, 2.

but admitted that nine-tenths of the Crown case was thereby abandoned.

Mr. Maisels then replied on this application, objecting to the amendments on the ground that they would result in a case of misjoinder of the accused in a single trial. Specific acts, not a course of conduct were now clearly alleged. Mr. Justice Rumpff remarked "... the Attorney-General appeared not to have fully considered treason in peace-time without the use of violence or rebellion". It was after Mr. Trengrove had begun to reply to the defence argument that Mr. Pirow rose to say, "I am afraid that my hopes that my application for certain amendments to the charge would shorten the proceedings have not been realized. In the name of the Attorney-General I withdraw the indictment."

The *Daily Telegraph* (October 14, 1958) wrote: "... The broad picture of the proceedings ... has been clear enough. It is the spectacle of a political quarry pursued through legal corridors and, outside South Africa, sympathy has been with the quarry....

"The Crown has now abandoned [the indictment] before the accused have even been called to plead. This result, for which they have to thank an able defence, vindicates South African justice, but must humiliate those who brought the charges. The discredit which the whole affair has cast upon the Nationalist Government should not, however, obscure the fact that all proceedings have been in the full light of day and that the accused, as long as they have been kept waiting, have been allowed bail. If the Government values its repute in the outside world it will reconsider its apparent intention to frame a fresh indictment, and set them free...."

The *Observer* (October 19, 1958) wrote: "... Instead of the Pretoria court quashing the indictment, as it had been asked by the defence to do, the prosecution suddenly withdrew it—an unprecedented move. The normal course, in such circumstances, would have been for the prosecution to say that it had decided not to go on with the case, which would have meant an acquittal for the accused. ... Those who have followed the trial ever since the arrests took place ... have remained unconvinced that there ever should have been a prosecution for treason. The intention to reinstate the accused will harden the belief, widely held, that this is indeed a political trial. The South African Government could do much to restore confidence in justice if it were to think again about persisting with the case."

The *Golden City Post* (October 19, 1958) wrote "... Enough is enough. The Crown has taken nearly two years to reach the stage where the accused have been committed for trial but have not been properly indicted. A new indictment against the same people next year would be not only prosecution but persecution. The Attorney-General can stop any such persecution by calling the whole thing off. These people have suffered enough. ... In the name of Justice Parliament should pass another Special Act—to compensate them."

The *S.A. Sunday Express* (October 19, 1958) suggested that the Minister of Justice (Mr. Swart) should either drop the case or resign.

Replying to United Party criticism in Parliament, Dr. Verwoerd said that the Government stood firmly behind Mr. Swart, regardless of the outcome of the treason trial. Anyone knew Mr. Swart was the best man for the portfolio of Justice. He was unbiased, human and just. When the police established that in their opinion something wrong had been done, the Nationalist Party Government would not for political reasons try to evade any responsibility.

"And when, as in this case, the police believe there is a serious case of treason and it is decided—not by the Government but by the authorities concerned—that steps should be taken, does the United Party think that we will hesitate to allow the matter to go ahead and that we will interfere with the courts? The United Party might decide to drop a matter of this kind if they feel it will make them unpopular but we will not. It is not only Mr. Swart who is affected by this matter but the whole Nationalist Party Government, and we stand behind him. We have only one aim—the safety of South Africa, with justice for all." (*Pretoria News*, October 23, 1958.)

Pretoria News (October 14, 1958) reported that special branch police and treason trial suspects exchanged blows at a party in Roosevelt Park, Johannesburg, where sixty of the accused in the trial and defence lawyers were celebrating the adjournment.

Leading members of the defence team at the trial asked the police why

they were making the raid but could get no definite answer from them. Policemen elbowed their way through the guests confiscating liquor and brandishing brandy glasses, demanding to know who had been drinking from them. Several women were manhandled by the police as they pushed their way through the crowded living-room. Photographers from an Afrikaans daily newspaper arrived with the police and also used the windows to enter the house.

Pretoria News (October 14, 1958) wrote: "Now the accused face their third bleak Christmas. Many of them have undergone serious hardship since their arrest in 1956 and see little hope of economic rehabilitation in the foreseeable future.

"The office of the Treason Trial Defence Fund was filled with accused seeking some form of assistance including rail tickets to enable them to go home. About forty live outside the Witwatersrand and have been without even casual employment for nearly two years. Their families have been maintained only through the assistance given by the fund.

"The withdrawal of the indictment against them has done nothing to ease their economic plight. On the contrary, if they are going to be re-indicted, their period of hardship will only be prolonged. None of them is able to make plans for the future."

Nearly £75,000 has been spent so far on the defence for the accused in the treason trial and on welfare for their families. Announcing this the Treason Trial Defence Fund—which has assumed responsibility for providing for the defence and maintenance, as far as possible, of the accused—said that it had fully justified its existence and function up till now. "A tremendous legal and moral victory has been won, but the fund's original tasks confront it now as urgently as ever" it was stated. (*Rand Daily Mail*, October 24, 1958.)

Contributions should be sent to P.O. Box 2864, Johannesburg, Transvaal, or to Christian Action, 2 Amen Court, London, E.C.4.

Split in A.N.C.

The Star (November 3, 1958) wrote: "Watch for a new force in native politics. Africanists,¹ one of whose aims is to 'drive the Europeans into the sea, whence they came', split from the African National Congress ... after a stormy week-end conference on the Rand.

"Led by Mr. Josias Madzunya, whom fellow Natives describe as a man of independent means, the 'Africanists' plan to form a political organization in opposition to the A.N.C. The main difference between the bodies is this. The A.N.C. is multi-racial; its construction allows Europeans to join; it is prepared to accept aid from sympathetic Europeans and their organizations. The 'Africanists' want nothing White, either in shape of aid, co-operation or co-existence in the Union. Their slogan is 'Africa for the Africans, Africa for humanity, Humanity for God'. They intend to start a 'political battle against White domination'.

"The split came during a closed session of the conference at Orlando. Africanists, backed up by gangs of armed men, delayed the start of the meeting for more than three hours, until the A.N.C. could drum up its armed supporters. 'We held back until we were organized,' an A.N.C. official said. 'Then we went to the hall. We were prepared to meet force by force.' But there was no physical clash. An Africanist delegate tried to force the election as Transvaal president of Mr. Madzunya, but the delegates plumped overwhelmingly for Mr. Gert Sibande, known as the 'Lion of the East'. The Africanists retreated to a house not far away and announced their breakaway.

"The only trouble came when a Special Branch detective disguised himself in a 'Russian' blanket and managed to get into the hall. He was spotted by women, sjambokked and hit with knobkerries and bricks. He escaped and was helped by a Coloured detective who opened fire with his revolver. European Special Branch men made two arrests."

The *World* (November 8, 1958) reported that all Africanists were expelled from the A.N.C. on the final day of the conference.

Mr. Madzunya and another Africanist leader, Mr. P. Leballo, were expelled from the A.N.C. in June for their "disruptive activities". Mr. Madzunya was therefore not eligible for election to any A.N.C. office. (*New Age*, October 23, 1958.)

In his address to the Congress, Chief Albert Luthuli, president-general

¹DIGEST V, 4 and 6.

of the A.N.C., said the A.N.C. was opposed to narrow African nationalism: "It is a source of pride to us that the A.N.C. has never been 'anti' anyone. On the contrary, it has been in the forefront of the struggle for a wider, broader outlook on race relations. Continuous harping on race by the Nationalists has caused some Non-Whites to emulate them and preach exclusive control of South Africa by one racial group. We have seen developing in embryonic form, a tremendously narrow African nationalism which is reviving tribalism. This will lead to increasing tensions and suspicion in race relationships. No one who has South Africa's interests at heart can be happy about this development." Whatever *apartheid* might do to disturb racial peace in South Africa, the A.N.C. would never pursue the same "disastrous" policy of narrow nationalism.

Chief Luthuli said that it was an insult to the intelligence of Non-Whites to suggest that *apartheid* could be just. He attacked the issue of passes to African women and also the poll tax increase. It was "adding insult to injury" to ask the Native people to pay for Bantu education, which was designed to keep them in a state of permanent inferiority, he said. (*S.A. Sunday Express*, November 2, 1958.)

Pretoria News (November 3, 1958) wrote: "... The militant Africanist movement is centred in Johannesburg, and officially it is believed that its members are more anti-Indian than anti-White. They are believed to have shown their strength during the Johannesburg bus boycott last year.¹

"The [A.N.C.] now finds itself between two powerful forces which might destroy it eventually. There is the growing process of tribalization which is part of Government policy, on the one hand, and the Africanist movement on the other. The Africanists are not opposed to the tribalization process, and might even use it as an instrument.

"Under the leadership of Madzunya the formation of a strong Africanist movement is around the corner. He is described as a real rabble rouser and the most powerful driving force behind Native nationalism. . . ."

The *Rand Daily Mail* (November 4, 1958) wrote: "... The Africanist group—so far it is nothing more than that—represents a militant African nationalism. . . .

"The emergence of such a group, deplorable as it is, was only to be expected. It is one result of the Government's refusal to have anything to do with any organization representing the urban detribalized African population. Dr. Verwoerd is full of plans for breathing new life into the dying tribal system, but in the meantime he studiously ignores the steadily growing mass of Africans who are becoming Westernized and cutting themselves adrift from their tribal origins. These are the people whom the A.N.C. for all its immaturity and weak organization, represents. But by ignoring and rebuffing its more moderate leaders, such as ex-Chief Luthuli, who try to maintain the traditional Congress policy of co-operation, the Government is strengthening the hands of the extremists. It is also true, however, that the Africanists are a product not only of Government policy, but of the whole rigid structure of South African race attitudes. They feel that moderation is making no headway, so they tire of it.

"Such extremism, White or Black, is tragic, but if things go on as they are in this country, both forms will grow, each feeding on the other."

Mr. Madzunya denied that his group "aimed to drive the White man into the sea. When we say we are fighting White domination, we mean the Government of the country, which is run by the Whites only." (*World*, November 8, 1958.)

"Luthuli Case"²

In a report and an editorial on the disturbances at the Pretoria Study Group meeting on August 22, when Chief Luthuli and several others were assaulted, *Die Transvaler* said that the meeting had been a "mixed" one; that the invitation to Chief Luthuli had been "a provocative act" and that the Study Group had displayed "crawling liberal tendencies".

Repudiating these charges, the Chairman of the Group, Mr. H. S. Serfontein, said that the tragedy was not so much the occurrences at the meeting as the fact that a substantial section of Afrikaners approved of them: what had happened reflected their own attitude to the Non-Europeans and was "characteristic of their approach to a serious problem". (*Pretoria News*, September 17, 1958.)

On October 9, six men appeared in the Pretoria Magistrate's Court for

¹DIGEST IV, 5, and V, 1.

²DIGEST VI, 2.

formal remand to the Regional Court on charges of public violence arising from the disturbances.

The accused, all of whom pleaded not guilty, were Hendrik Benjamin Claassens, fitter and turner; Willem Johannes de Bruyn, garage owner; Ockert Herman Harms, garage foreman; Creswell Stanly Joyst, air force sergeant; Johan Steyn and Jan Adam Theron, salesmen. (*Star*, October 9, 1958.)

The case opened on October 22 before Mr. F. C. A. Weesel (who presided over the preliminary inquiry in the Treason Case). One of the defence advocates, Mr. A. P. Myburgh, cross-examined Chief Luthuli on the purposes of the A.N.C.

Hendrik Claassens told the Court: "... I was shocked when I heard that a Native would address White people. This has never happened in Pretoria before. I spoke to hundreds of people about this, my friends and others, and they were shocked and astounded about the meeting. They would not believe that a Native would be allowed to address a White audience, and this an audience of Afrikaner volk intellectuals, and I invited these people to come to the meeting to convince themselves that such a thing could happen. I told them to meet me at the Square.

"I went to the meeting with the express purpose of breaking up the meeting. The others were not aware of my intentions. . . .

"My objective was the White Liberals; if it was in my power I would have wiped them all out.

"When I received news of the meeting, I decided then and there that it would not take place. Some friends said they would go there and question Luthuli. I replied that the Afrikaner does not reason with a Native (kaffir)."

The other five accused denied that they had gone to the meeting with Claassens or that they had attacked anyone. The hearing was adjourned to November 24. (*Pretoria News*, October 23, 27, 29, 30 and November 3; *Star*, October 30, 1958.)

Mosley Group

The *S.A. Sunday Times* (October 19, 1958) reported that an organization linked to the Mosleyite Union Movement in Britain had been established in Johannesburg. It was called the "Europe-Africa Association".

Sir Oswald Mosley had advised the organization to co-operate fully with the Nationalists.

The Association supported total territorial *apartheid*, a republic, separate-medium education and the loaded vote-system. It also "agreed with" restricting the immigration of Europeans who were hostile to the Government.

The major aim of the Association was to win support for the idea that Africa was the "last great living space left to Europe", and for the creation of separate areas for White and Coloured races. The continent could supply Europe with raw materials and the food it could not grow at home. In return, a United Europe—Mosley's goal—would be able to provide the huge sums needed to make territorial *apartheid* feasible in South Africa. This arrangement would be in Europe's as well as Africa's interest.

Violence in Prison

The *Star* (October 20, 1958) wrote: "Last month four Native prisoners were found battered to death and two others seriously injured after an incident in the cells when certain lights fused. As a result six men are at present appearing at a preparatory examination into an allegation of murder.

"Another incident was reported at the week-end in which women convicts are reported to have assaulted members of the prison staff. One wardress and two Native women are now in hospital, while several others have had to receive attention for minor injuries. It is possible that court proceedings will be instituted in connexion with this occurrence as well.

"It is also disturbing that the Johannesburg Press has recently published reports alleging numerous irregularities, including dagga smoking, said to have taken place within the precincts of this jail."

"Sjambok Farms"

Ralph Nicholson (*S.A. Sunday Express*, October 5, 1958) wrote: "The

Department of Native Affairs has stopped supplying Bantu labour to Mr. Joos du Plessis—'mealie king' of the Transvaal and one of the biggest employers of 'pass office' labour in the country—because of the conditions on his farms in the Heidelberg and Delmas districts. This, said an official of the department, is the result of disclosures during a trial in Heidelberg when three of Mr. du Plessis's farm foremen were convicted of assault. . . .

"Last week, Mr. du Plessis's brother-in-law, Robert Johannes Jones, described as Mr. du Plessis's head foreman, was sentenced to thirty months and six strokes for assaulting five Bantu labourers with intent to do grievous bodily harm. The week before, two other foremen employed by Mr. du Plessis were found guilty of assaulting labourers.

"Mr. du Plessis recalled in the interview: 'One day I got eighteen boys and when I got to the farm there were only two. They started jumping out of the lorry at the first robot I stopped at.' Many 'pass office' Bantu ran away even after arriving at the farm.

"It was eleven 'run-away' labourers who gave evidence against Mr. du Plessis's foremen. Many of them displayed their backs in court to show the magistrate bruises and scars inflicted by two sjamboks.

"The question was raised in court whether the labourers had committed a crime by running away. Mr. J. W. van Greunen, the magistrate, said: 'It would be an untenable position in law if a person could not run away from conditions that were obviously bad and report them.'

"The Bantu were freed from their three-month contracts with Mr. du Plessis. At the end of the trials, Mr. van Greunen told them: 'Farmers are shocked by what has occurred. I can assure you that I will take steps to see that it does not occur again.'

The Unions, the Government and the I.L.O.

The S.A. Trades Union Council has broken away from the S.A. Confederation of Labour (which was formed in September, 1957). Mr. Alex Hepple wrote (*Sunday Times*, September 21, 1958): "The decision . . . is of great importance to the labour movement. It brings to an end the uneasy unity between four rival federations of trade unions, which has lasted for one short year. The four federations are the S.A. Trades Union Council (thirty-four unions with 114,000 affiliated members), the S.A. Federation of Trade Unions (twelve unions, 60,000 members), the Ko-Ordrinerende Raad van Suid-Afrikaanse Vakverenigings (thirteen unions, 16,000 members), and the Federal Consultative Council of S.A.R. & H. Staff Associations (seven railway unions with 77,000 members). . . .

"On the one side, the T.U.C. is in open conflict with the Government on such questions as the Industrial Conciliation Act of 1956, the enforcement of *apartheid* in the unions, and the reservation of jobs on racial lines.

"In contrast the other three federations support the Government on these issues and approve its attitude to the trade unions. . . .

"As if to underline its disagreement with the Confederation the T.U.C. reaffirmed its absolute opposition to job *apartheid* and to the Industrial Conciliation Act and its further amendments which the Minister now proposes. These will tighten up the restrictions upon the unions; they will also give the Minister unfettered power to enforce job *apartheid* as he chooses. . . .

"The T.U.C. still remains the strongest federation of registered trade unions. It is strengthened by the fact that it has not surrendered its independence. If the Government should ignore this body and favour the remnants carrying on as the Confederation, it will be guilty of gross contempt towards the largest group of organized workers in the country."

In a special article in the *Forum* (October, 1958), Mr. Hepple wrote: "South Africa's uneasy membership of the United Nations is not the Cabinet's only concern in the field of international relations. The International Labour Organization, at its forty-second session, held in June, struck a serious blow at the Government's key industrial and labour policies. The Conference adopted a Convention and a Recommendation on Discrimination (Employment and Occupation) designed to eliminate distinction, exclusion or preference in the field of employment on the basis of race or colour. The Convention was adopted by 189 votes to 24 with 13 abstentions, while the Recommendation was adopted unanimously. Both affect South Africa more than any other country in the world.

"Naturally, South Africa will not ratify the Convention as she could not bind herself to (its) provisions without smashing the colour bar completely. . . .

"However the matter does not end there. Like all other countries, South Africa will have to submit regular reports to the I.L.O., stating the position of its laws and practices in regard to the matters contained in the Convention. The Recommendation on Discrimination (Employment and Occupation) imposes a similar obligation. It penetrates the usual defence of 'peculiar race problems' and 'the domestic affairs of Member States' by requesting members to consider the Recommendation 'with a view to effect being given to it by national legislation or otherwise'. . . .

"The Industrial Conciliation Act, the Native Labour Regulation Act, the Mines and Works Act, the Native Building Workers' Act, the Native (Urban Areas) Act come to mind immediately as offending against these principles.

"South Africa's employers and trade unions are also called upon to declare themselves on the Convention and Recommendation. . . .

"The I.L.O. Convention and Recommendation . . . also challenge South Africa's industrial councils, requiring that 'in collective negotiations and industrial relations the parties should respect the principle of equality of opportunity . . . and should ensure that collective agreements contain no provisions of a discriminatory character in respect of access to, training for, and retention of employment, or in respect of the terms and conditions of employment and promotion'. To meet this requirement, Industrial Councils would have to defy the law, for all such agreements are based upon the underlying principles of discrimination, as contained in many statutes.

"More than any other decision of the I.L.O., the Convention and Recommendation on Discrimination (Employment and Occupation) propel the Union towards a showdown with the I.L.O. But it is not only the Government which will have to take up this challenge. Unlike the United Nations, the I.L.O. calls upon others besides Governments to declare themselves. Organized employers and workers will have to tell the I.L.O. and the employers and workers throughout the world where they stand on racial discrimination."

"Apartheid" and Economics

Replying to allegations made by Opposition members that economic integration between White and Non-White was an established fact and that it was increasing under the present Government Dr. Verwoerd said that as long as the relationship remained that of employer and worker there was no "integration". If, however, the Africans were granted a voice in economic affairs or allowed to enter into competition with the Whites, that would be integration.

To illustrate his point, Dr. Verwoerd said that a farmer who employed five Africans and gave them food, clothing, housing and medical attention, but did not accept them as neighbours or equals, was not practising economic integration. It did not matter whether the farmer employed five or fifty Africans—numbers were unimportant. On the other hand, economic integration could be said to have taken place if the farmer were Father Huddleston, who would undoubtedly accept his farm labourers as his equals. (*Pretoria News* and *Rand Daily Mail* September 16, 1958.)

The *S.A. Sunday Times* (September 21, 1958) commented: "... So there we have it. *Apartheid* is just *baasskap* after all."

The *Rand Daily Mail* (September 17, 1958) wrote: "... If you have armies of Africans working for Europeans in European areas, then you have economic integration in practice, whether you like it or not and whatever name you choose to call it. Furthermore, this in turn will lead eventually to some sort of political integration, again whether you like it or not. . . ."

Pretoria News (September 18, 1958) wrote: "... Dr. Verwoerd is not primarily concerned at all with the realities of the present situation. He is determining policy and making administrative decisions not with an eye to the present needs of the country and its people but with an eye to an ideal which he admits cannot for a very long time be achieved. The result is necessarily distortion, individual discomfort and unhappiness on a large scale, waste and inefficiency—as it is with any policy that is not made to fit reality. . . ."

The Times (November 5, 1958) reported that Dr. N. Diederichs, the Minister-Designate for Economic Affairs, said he would do his best to promote the investment in South Africa of both local and foreign capital "to the extent that such foreign investment is in the interests of the Union's development". He was in favour of immigration of the right type of people, particularly technicians, to help to develop the country's huge natural resources. Dr. Diederichs denied saying in a recent speech that South Africa should not be a "refuge for foreigners". He said he had spoken about the growth of the Union from a colonial state to complete independence. With that development, the country had ceased to be a field for foreigners' exploitation and had become a land of permanent settlement, in which its citizens were doing more and more by themselves for themselves.

He emphasized that the economy of the country should be carried on by its people and not by its Government. The people had to provide capital, labour and direction. It was a mistake for people continually to look to the State to do things for them. The Government should give only general guidance and help to achieve conditions favourable for economic development. But the State should preferably not go into business itself.

Pretoria News (November 6, 1958) wrote: "Both Mr. Sauer ('speaking with the full knowledge and approval of the Cabinet') and Dr. van Rijn have stated quite unequivocally that their party and Government will not contemplate nationalization and that they value private enterprise. . . ."

"The alacrity and the emphasis with which (they) have covered up for some of their associates is a welcome indication of the realism with which the Cabinet as a whole still views South Africa's need for outside capital as well as the general and most urgent need for a climate of confidence within this country in the future of private enterprise. . . ."

"These assurances should be accepted as well as welcomed. It would be the sheerest folly for any government to deal so drastic a blow to the economic life of the whole community as would result from nationalization dictated by a desire to grab a bigger share of the cake for the Afrikaners.

"A more serious danger (because more probable of realization) is that free enterprise will be limited and distorted in the attempt to impose a fantastic and unreal pattern of so-called *apartheid*. . . ."

Other Forms of "Apartheid"

Wages, Taxation and Services

Speaking at the Society of Advertisers' first convention Mr. M. D. C. de Wet Nel, Minister of Education, Arts and Science, said that the potentialities of the purchasing power of the Bantu were greater than many people were inclined to believe. In seven of the country's important labour markets alone, £126 million in cash was paid annually to Native labourers. The Minister hoped that the Society of Advertisers would form a special group to study the problem of directing more and more advertising to the Union's expanding Black consumer market. (*Pretoria News*, October 14, 1958.)

The *Star* (October 17, 1958) wrote: "In a leading article quoting these and other statements by . . . Mr. de Wet Nel . . . the *Natal Daily News* says that the figures must be read against the background of Native poverty.

"A recent unpublished Government survey, for instance, revealed that of 2,180,000 male taxpayers, no fewer than 2,135,000 earn £180 a year or less—1,107,730 fell into the under £50 a year group—and only 45,000 earned more than £180 a year. While the earnings of Native workers in commerce vary from £50 to £180 or more—the vast majority in the lower figure bracket—those on farms earn cash wages averaging only £37 a year. It needs no emphasizing that as Native earnings rise . . . so will their purchasing power. This, in turn, will call for greater industrial and manufacturing output in nearly all sectors of the economy, with corresponding benefit to the country and all its peoples.

"What employers and employees—as well as the nation's policy makers—must appreciate more clearly is the fact that wages cannot rise to any appreciable extent unless the output and the productivity of the worker are increased. Once these are raised, by training as well as by controlled relaxation of the colour bar, the full potentialities of the Native market will be more keenly realized." (*Star*, October 21, 1958.)

The *S.A. Sunday Times* (November 2, 1958) wrote: "The campaign to increase wages and productivity was started four months ago by an association of leading Johannesburg businessmen. Because sudden pay increases

could disrupt the economy, it is emphasizing a 'step by step' approach.

"Special committees are preparing blueprints—based on case studies—for a gradual change-over, in which higher wages and productivity would go hand-in-hand. Meanwhile there are signs that the movement is winning support among the business community and in official circles. The Secretary of Commerce and Industries, Mr. D. de Waal Meyer, last month urged a gradual increase in Native wages by householders and industrialists. . . .

"Now a big national chain of stores—the O.K. Bazars—has decided to increase wages. From tomorrow, its Native staff will find 10s. more a week in their pay packets. Several large Johannesburg firms . . . may follow this step, which has already resulted in the bazaar being inundated with applications for jobs."

The S.A. Congress of Trade Unions said that between 150,000 and 200,000 Africans went to jail every year for failing to pay poll tax. This figure could be doubled—or even trebled—because of the higher tax announced in the Budget.¹

Coupled with the higher tax was the curtailment of free hospital treatment in the Transvaal. This would place an unbearable burden on people already struggling for survival.

"No worker who earns more than £12 10s. a month will be admitted to hospital free—and that includes TB sufferers and casualties. Dental services must also be paid for." (*Star*, October 6, 1958.)

University Apartheid²

Professor A. B. du Preez, of the Pretoria University, told the Pretoria Political Study Group that the Government, by giving the Bantu separate universities, acknowledged the fact that they were capable of full academic development. Under the present system too few graduates were produced and the training was not directed towards service for their own people. At present the Bantu studying at a university became estranged from his own people and he was denationalized. Only imitation Europeans were produced. Because the Bantu university students were limited at present the Bantu did not receive their fair share of higher education. For full development separate universities were necessary.

A "leading Afrikaner intellectual" in Pretoria said that the growth of progressive thinking students at Afrikaans universities like Pretoria and Stellenbosch, where "contact" study groups hold regular discussions with leading Non-Europeans, was one of the most significant phenomena of the times. Even five years ago this would have been unthinkable, yet it was a logical development.

The new approach, which began two years ago and had expanded in a way which showed it was not an isolated current of thought, arose from the realization by this generation of students that they would be the people who would face "the showdown". Unlike previous generations, they realized that they would not be able to "pass the baby" to the next generation.

There had been many proofs lately of the new approach. In Pretoria the reaction which followed the attack by hooligans on Chief Luthuli was significant. The Pretoria University weekly students' publication, the *Perdeby*, deplored not only the attack but the "apparently neutral attitude" of the Afrikaans press on this incident. The fact that the trouble-makers were not prepared to allow a Native to address Europeans did not mean that this was the point of view of Afrikaners in general. "On the contrary," said the article, "I believe it is welcomed when we the Afrikaners are sometimes offered the opportunity to sit and listen objectively to the views of the Non-Europeans. In this way we learn their outlook on life and we get to know their inner selves. This, by itself, can lead to an honourable relationship between the two groups. Furthermore, it is by no means fraternization."

At Stellenbosch the retiring president of the Students' Representative Council, Mr. Jan Louwser, who was a foundation member of the "contact" study group there, said the group was to be disbanded because it had served its purpose. Its function was being carried on by a number of other student bodies which were making contact with leading Non-Europeans—and openly being addressed by them. They were also making contact in other ways, for instance through visits to the Bantu town of Nyanga and to the squatter settlement of Windermere.

¹DIGEST VI, 2.

²DIGEST IV, 4-VI, 2.

The other groups included the *Afrikaanse Studentebond*, *Christelike Studente Vereniging*, Bantu Study Group and the *Kweekeskool* (an organization of theological students). (*Pretoria News*, October 4, 1958.)

The *Rand Daily Mail* (September 26, 1958) reported that after a seven-month battle to obtain a passport, Miss Mary Nongauza, a thirty-four-year-old African woman, would be able to take advantage of a £500 a year scholarship to Oxford, where she would read for a B.Litt. degree in education. The scholarship was awarded by the Oxford Scholarship Trust Fund Committee.

An official at the passport office said applications by Africans were dealt with by the Secretary of the Interior and since a certain amount of correspondence was involved they had often to wait longer than Europeans.

Miss Nongauza took a Bachelor of Arts Degree at Fort Hare in 1945 and a B.Ed. degree at the University of Cape Town in 1953 after being awarded a scholarship by the Union of Jewish Women in South Africa. She gained honours for her thesis. For the last three years she has been on the staff of the Institute of Social and Economic Research at Rhodes University and was a Nuffield Research Fellow in education.

The *Star* (October 17, 1958) wrote: "Money for scholarships for Coloureds and Africans to study abroad is provided in the will of Mr. J. W. Roux, which has been filed at the Master's Office of the Supreme Court.

"Mr. Roux directed that, after the death of his longest-living grandchild, the interest from his estate be used for scholarships for Coloured people or Africans born in the Union of Basutoland. The scholarships would be open to those who had passed an examination of Matriculation or Senior Certificate standard and would be for study in France or Holland. Medical students would be given preference. Applicants would have to be able to speak either Afrikaans or Dutch."

The Committee on Science and Freedom announced in their *Bulletin* (October 1958) that their scholarship fund, launched in January 1958 to assist Non-White South African students to enter "open" universities before the new law excluded them, had now reached £730. In addition £600 had been contributed by the Congress for Cultural Freedom.

Bantu Education

The *Rand Daily Mail* (October 31, 1958) reported that forty Catholic mission schools had closed since the Government subsidy was withdrawn two years ago. A number of high schools in the Transvaal were among those which had been closed. Some secondary schools in other parts of the country had had to become primary schools because of lack of funds. Application had been made to the Department of Bantu Administration and Development for the registration of schools still open. About 120 registration certificates had been granted; certification of the others was being considered.

Ralph Nicholson (*S.A. Sunday Express*, October 12, 1958) wrote: "Eight months after giving a group of European professional men its official approval of their plans to build a much-needed Bantu school at Loch Vaal, near the Vaal River, the Government has: cancelled its approval; ordered that work on the school building must stop; and ordered that the building work already completed must be torn down.

"The Europeans, who were building the school with their own hands, have as a result lost months of their labour time, plus nearly £500 worth of building material already erected on the site. The official reason for this astonishing reversal of policy is that the Department of Bantu Education now thinks the school is too close to European plot-holders.

"(The owners) are now trying to sell the two acres of ground they had given to the school. Their plan is to build the school elsewhere."

Fr. Francis Blake, C. R. Superintendent of the Ekutuleni Mission,¹ Sophiatown, wrote (*Star*, October 30, 1958): "I believe many people are under the impression that this mission has practically come to an end. I think the mistake arose from a statement a few months ago announcing the Government order for the closing down of the Thabong Teacher Training Institution at the end of 1958. From the end of December this year we shall no longer be able to train African nursery school teachers, but this institution is only a small part of the total work of the Mission."

"The Thabong Nursery School is still in existence with 230 children

¹DIGEST V, 4.

attending daily and with a considerable waiting list. There are still many hundreds of children living in Sophiatown and it is expected that the school will continue to function until Sophiatown is completely cleared, which is at present far from the case. In addition, Ekutuleni is responsible for five other nursery schools in Newclare and Orlando with a total of more than 500 children, twenty full-time teachers and a great variety of other paid workers.

"Grants are received from the Johannesburg Social Affairs Committee towards the running of these schools and the parents also make a contribution but the balance, with the overhead costs, upkeep and equipment has to be paid from the mission funds. As a result, we believe, of the misunderstanding, donations for these works have almost ceased, and we are in urgent need of funds. We are a registered welfare organization." The Mission's address is 73 Meyer St., Sophiatown, Johannesburg.

The Times (October 31, 1958) wrote: "Armed police were called to the Government-controlled Zulu training school at Amanzimtoti on the south coast of Natal when African students staged a mass walkout in protest against the expulsion of twenty fellow pupils. After interrogation, six of the students were detained by the police for further questioning in connection with a case of alleged stabbing and the wrecking of a dormitory, which are said to have given rise to the expulsions.

"Before being taken over by the Department of Native Affairs at the beginning of this year, under the provisions of the Bantu Education Act, this training school for Zulu teachers had a long and esteemed history as Adams College, and was run and maintained on a voluntary basis.¹ Since coming under Government control the school has been restaffed with an Afrikaans-speaking principal and staff and emphasis on the Afrikaans language is said to be one of the causes of unrest among the students.

"A spokesman for the students said that the recent disturbances started during a 'witch hunt' for students known as 'Government informers' who were suspected of passing on information to the European teaching staff. African students also alleged that the walkout was the result of discrimination shown against students by some members of the Government-employed staff. The students, whose ages range from seventeen to twenty-eight, also allege that they have been compelled to sing Afrikaans songs.

"The spokesman for the staff denied discrimination on the ground of colour and said that the singing of Afrikaans songs was an effective way of teaching students the language, in which they had to pass an examination. Some of the students who walked out returned [later] but a state of tension still prevails."

The *Rand Daily Mail* (October 31, 1958) said that the Government was to "investigate the reasons—political and otherwise—for the mass walk-out".

Pretoria News (November 1, 1958) reported that the six students who had been detained were subsequently charged with public violence. One became a witness for the Crown, the other five were acquitted.

Mr. W. A. Maree, Minister of Bantu Education, said that the task of Bantu education must be to make the educated African a good African, fitted to give service to his own people. During the United Party régime a small group of Bantu had been taken from their own environment and given higher education, with the result that they infiltrated among the Europeans and became agitators and Communists. On the other hand, he was alarmed when he saw the sacrifices the Bantu were prepared to make in order to become educated. The European did not always realize the value of education.

He deprecated the belief of certain Europeans that *apartheid* was designed to keep the Bantu in their place. *Apartheid* did not mean horizontal division with the Bantu at the bottom. (*Rand Daily Mail* and *Pretoria News*, November 1, 1958.)

In a special article in the *Star* (November 7, 1958) Richard Feldman said that many were impressed with the reports of more African children at school, more schools, and more teachers, but little was known of the changes taking place and of the low quality of the education given.

Today only 3 per cent are in high schools and the percentage is not likely to rise, as a first or maybe a second-class pass will be required to enter high school. Double sessions, each lasting three hours, have already

¹DIGEST IV, 2.

been introduced. According to the latest figures, 3,784 schools out of a total of 6,092 have double sessions. This explains the phenomenon of having increased the number of children at school without a corresponding, or any, increase in the cost.

The Eiselen Report recommended that education should be through the medium of the mother tongue for the first four school years, and that this principle should be extended gradually to the higher primary school year every year. There has been no gradualness. Next year Standard VI examinations must be written in a Bantu language.

Before Bantu Education was introduced, children were taught through the medium of the mother tongue up to and including Standard II (except in the Free State—up to Standard IV).

Writing in the Missionary Journal, *The South Africa Outlook* (August 1958), Mr. D. G. S. Mtimkula, Ph.D., says: "English is for us the most important test, for acquiring some mastery over our new social and economic environment for Western civilization has become an essential part of the environment of the Bantu today."

While White teachers have in the past few years received spectacular, though as yet not adequate, increases in pay, there has been no increase in the pay of African teachers. Female primary school teachers require Standard VII plus two years' teachers training. Their salary is £10 10s. a month, including cost of living. The same salary will in future also apply to male teachers with the same low qualification....

The abolition of school feeding for African children (expenditure cut from £750,000 to a mere £50,000 this year) is causing deterioration in learning. A hungry child, no matter how intelligent, does not absorb to the full the benefits of the teaching it receives.

Bantu Authorities*

Mr. C. W. Prinsloo, Chief Information Officer of the Department of Native Affairs, said that the Government was confident it would soon have the support of the majority of Natives for its policy of teaching the Bantu to manage his own affairs, in his own areas, under European tutelage.

Mr. Prinsloo said the pitfalls of dumping a Western form of management on an immature Native population not yet graduated from the tribal system were all too clear in Africa. The same mistake would not be made in South Africa. Rather, the native would be educated to the principles of self-management, and helped to put them into practice, slowly at first, but more rapidly as he developed educationally, technically and financially.

More than 480 statutory school boards with Native office bearers had been established, and more than 4,000 school committees manned by more than 30,000 Natives. It was estimated that one in 150 Natives was actively engaged in the self-rule of the Bantu in the sphere of education.

Native self-management was also gaining pace in the reserves, he said, where "borough councils" consisting solely of Natives were administering tribal affairs. "It is a tribute to the faith behind this scheme that nineteen chiefs of the Transkei are at present in Vlakfontein, where the State is housing them in style in accordance with their status as ambassadors of the Native people," he said. The chiefs would confer personally with the Minister of Native Affairs to discuss their problems.

He urged that a Native language should be made a compulsory subject at school for scholars seeking university admittance. "The European's knowledge of Native languages is a key to better understanding between the races, and evidence of good faith towards the Bantu. It is unthinkable that this subject should not be compulsory for scholars wishing to enter university. These are our future leaders, and they should be as fluent in Native languages as the Bantu is with English and Afrikaans."

Mr. Prinsloo warned against the dangers of the "contact mania" which possessed certain groups, and led them to emphasize publicly that they were prepared to listen to the views of the Native. "Far more can be accomplished along the traditional line of mutual respect, with due regard to traditional forms of contact between White and Non-White," he said. (*Pretoria News*, October 7, 1958.)

Mr. Prinsloo said that the Department of Native Affairs intended to move to African areas all institutions for higher learning for Africans, including social welfare schools and teacher training colleges, in order to

"stimulate the economic advancement of the African areas". Those people who looked for any other reasons for the move besides the one given would "look in vain". Just as Stellenbosch, Potchefstroom and Rhodes universities had stimulated local trade and enterprise, so would the siting of schools and other institutions in African areas.

The *Rand Daily Mail* (October 11, 1958) commented: "One would have thought the principal reason was *apartheid* but this only goes to show how muddled one gets these days. Clearly the advent of such establishments in the Reserves would be a stimulus to local trade and enterprise there, but it might be interesting to know at what over-all cost this will be achieved. Major uprootings of this kind, however explicable on ideological grounds, are unlikely to be justifiable economically as well."

In an article in the *Rand Daily Mail* (September 26, 1958) Mr. W. P. Stanford (Natives' Representative, Transkei) wrote: ". . . The country has been continually told by the Prime Minister and other Nationalists and by the State propaganda publications that the Bantu Authorities will give the African his own political outlet to which he is entitled, but which he cannot obtain in the White man's areas. . . .

"In 1955 when the matter of the Bantu Authorities was put to the Transkei Bunga, it is clear that they thought that by accepting the system they would obtain a much larger degree of autonomy in the reserves. . . . However, in August 1956, came the great and profound shock. Proclamation 180 of 1956 was issued disestablishing the Transkei Bunga and establishing Bantu Authorities in the Transkei. This was the first proclamation—and the only one so far—setting out the political powers, duties and constitution of the tribal, district regional, and territorial authorities.

"In terms of this proclamation . . . the Minister can depose any chief, paramount or otherwise, or any headman. He can also cancel the appointment of any councillor to any of the authorities, from the lowest level to the highest, if he deems it expedient, and thereafter the Native Commissioner can veto the replacement. Even the head of the territorial authority who is nominated by the paramount chief is subject to the approval of the Governor-General. In addition, the Minister can appoint a supervisory officer over the territorial authority or any Bantu Authority, and in any event each Native Commissioner is deemed the supervisory officer in his own area. The Chief Native Commissioner can also veto any proposed action by the presiding chief of the territorial authority or the secretary or the treasurer.

"The Minister can appoint any other officer with whatever powers he deems necessary to administer the Bantu Authority. The Minister or any designated officer can attend any meetings of the Bantu Authority. If the regional or territorial authorities fail to make by-laws or regulations desired by the Minister, he can himself make such laws and they will be deemed to be those of the Authority.

"There are fifteen detailed functions of the territorial authority that can only be carried out subject to the regulations and directions of the Minister and in regard to the powers of making regulations, the territorial authority can only do so on matters within its jurisdiction, but they are of no force and effect until applied by the Governor-General. Treasury control and spending of money is subject to the Minister and he can decide how much, say, a tribal authority will have. Taxation can only be on the Governor-General's authority. . . . Lastly, but not the least important, the Governor-General may delegate any power or authority vested in him to the Minister, and the Minister to any officer of the Public Service. . . .

"When I questioned Dr. Verwoerd in Parliament recently about the effect of this proclamation, he said that you cannot give underdeveloped people self-government at once. It was a slow process.

"This is clearly a very unsatisfactory reply. The Africans in the Union are the best educated and most developed African people on the continent. . . . They have been well used to voting on the common roll in the Cape in the past, and have used their votes intelligently. For fifty years they used the local council system based on elected councillors. So the argument that they must now be controlled at every turn like a society that has never used these privileges does not hold much water.

"In this system of Bantu Authorities, as revealed in detail by this first proclamation, I see little hope of the African being allowed even a small degree of local autonomy in the foreseeable future, and by the very

*DIGEST V, 2-4 and 6; VI, 1-2.

structure and form of this first proclamation the pattern seems to be the perpetual control of the African. . . ."

New Age (October 23, 1958) reported: "Sekhukhuneland's Paramount Chief, Moramoche Sekhukhune, and four of the other five deportees from this Reserve are back in Sekhukhuneland—but on permit from the Native Affairs Department, and their deportation orders have not been withdrawn.

"The present permits were issued for a period of two weeks and must be renewed every fortnight, it is presumed. The permits can be withdrawn without any prior notice by the Native Commissioner; and over the heads of the Paramount Chief, Phetedi Thulare, Lot Maredi and the other two men hangs the deportation order which can again be brought into effect whenever the Native Affairs Department decides. . . ."

"This arrangement came into effect a few weeks after the six deportees had been brought from exile to Pretoria for talks on the future of the tribe. The six were clearly never free agents. They were apparently not asked to sign any written undertaking and the terms of their return to their home Reserve were kept vague throughout the talks. But the alternative to toeing the Government's line is clear to all of them—return to exile far from Sekhukhuneland.

"Only one of the six deportees is still in exile. This is Godfrey Sekhukhune, sent to live in Natal. His court action against his deportation is still pending. . . ."

Group Areas¹

The Inter-Church Committee which investigated the Group Areas plan for Indians in Pretoria issued a memorandum describing the plan as "a crime against God and humanity". It would "reduce a self-supporting community to complete poverty and dependency" and would "constitute an injustice that [could] not be tolerated by the conscience of a Christian nation, a Christian church or a Christian individual". The memorandum said that many Indians were willing to accept the area [Claudius] set aside for them under the plan and in several cases actually welcomed it. But it pointed out that the Indians were generally a poor community, and that unless suitable housing and cheap transport were provided definite hardship would be inflicted on many of them. The real hardship would, however, be entailed with the removal of the business premises, at present in the centre of Pretoria, on which at least 5,000 Pretoria Indians were dependent.

Dr. F. E. O'B. Geldenhuys of the Dutch Reformed Church, which is not represented on the Committee, said that the Moderator had investigated the application of the Act in Pretoria and that the Minister of Native Affairs, Dr. H. F. Verwoerd, had given the Church the assurance that the act would be applied "with the utmost circumspection and equity". (*Natal Mercury*, September 10, 1958.)

Following a meeting with the Committee, the Group Areas Board replied to its criticisms in a report which said: "The Board will endeavour to give effect to the Pretoria group area proclamation with equity. . . . It is, however, clear that the Indians have too large a share of trade and that they will have to submit to some curtailment of their trade in the interests of other groups, mostly Non-European. . . . The primary object of the Group Areas Act is not to control trade between racial groups but [it] is so applied that in the matter of trade, greater inter-group justice is attained than there is at present. This is done to meet the desire of the Coloured and Native groups. . . ."

Relying to the suggestion that suitable housing, transport and other amenities be provided at Claudius, the Board stated that amenities that would suit everyone had already been arranged. No details were given.

The Committee had suggested that the central shopping area of Pretoria be declared a working area, that it remain unzoned, and that the Indians be left in possession of their business and trading rights. The Board's reply was that the term "working area" was a phrase of equivocal import. The Indians used this vague expression simply as an argument to remain where they were. To accede to this request would be to nullify the Act.

The Committee urged that the Government appoint a statutory body to plan other occupations in industries, the Civil Service and professions for

South Africans of Indian descent. The Board replied that other occupations would gradually be opened as the Non-White universities and the general restrictions of races into their respective groups got under way.

The Board rejected as "unfounded and Indian-inspired" the Committee's main contention that the effect on the Indians would be privation and even starvation. The Board said that this conclusion had been reached "in the face of all evidence to the contrary, received from both the Indian and the White community by the Committee. This evidence was emphatic in stating that the further addition of 250 tradesmen to the 170 tradesmen in the already overworked Asiatic Bazaar could only lead to privation and even starvation."

Father C. B. Collins, chairman of the Inter-Church Committee, said the position of uncertainty facing Pretoria Indians over the implementation of the Act had not been lessened by the findings of the Group Areas Board. The Inter-Church Committee would continue to do everything in its power to oppose the proclamation. Father Collins said the Committee was bitterly disappointed by the statement of the Board that its findings were Indian-inspired and that they should consequently be rejected.

Another member of the Committee, Father Mark Nye, said: "The Group Areas Board . . . stated that these people could go into the Asiatic Bazaar. This would seem to be sheer dishonesty. The Board knows perfectly well that the Bazaar is already over-traded, that the removal of the Coloured people from the adjacent location and the Africans from the municipal hostel will accentuate this position and that several shops are already up for sale because the owners can no longer make a living. The Chairman of the Board, Mr. De Vos Hugo, in fact admitted this when he said that one of the results of the Act would be to cut down the volume of Indian trade. . . ."

"Lastly, to suggest that the curtailment of Indian trade is being done mainly to protect Africans and Coloureds who want to trade is another of those dishonest suggestions designed to cover up the real facts. A large part of Indian trade is with the European community who are only too glad to be able to buy their goods often at a more economical rate and on extended terms, and restrictions are already in existence whereby only Africans may engage in trade in our two great locations at Atteridgeville and Vlakfontein, and doubtless similar provisions will be made for the Coloureds at Derdepoort." (*Pretoria News*, September 15 and 17, 1958.)

A special meeting of the Pretoria City Council accepted an agreement in terms of which the Group Areas Development Board delegated its powers and functions for the development of Group Areas in Pretoria and the peri-urban area to the Council. The areas affected are Derdepoort (for Coloureds), the Asiatic Bazaar and Claudius and Lady Selborne (an African township which has been proclaimed a Group Area for Europeans). The populations affected are estimated to be about 48,000 Africans, 5,000 Asiatics and 3,500 Coloureds.

By entering into the agreement the Council undertook to develop the proclaimed areas at its own expense, but it would be entitled to any income derived from property that appreciated. The ground concerned had a basic price fixed at the time of proclamation, and if it was later sold at a higher price the profit would be divided equally between the Council and the owner. If it was sold for less than the basic price the Council would have to bear 20 per cent of the loss and the owner 80 per cent. (*Rand Daily Mail* and *Pretoria News*, November 1, 1958.)

The report of the South African National Council for the Blind said that the institutions for blind Africans at Durban, Port Elizabeth, Kimberley and Roodepoort were wrongly sited in terms of the Government policy and could not be extended. The chairman of the Non-European Blind Standing Committee, Mr. H. N. Cleverley, said that the Department of Native Affairs "expected the removal of wrongly sited institutions to be considered as soon as practicable".

The Rev. A. W. Blaxall, secretary of the Christian Council of South Africa, said that under the Group Areas Act several welfare institutions which represent thousands of pounds of "public and philanthropic money" were being told that they were wrongly sited. Mr. Blaxall said: "My plea to the exponents of rigid *apartheid* is: we concede the need for many new institutions in the reserves under the Group Areas plan, but please leave

¹DIGEST V, 2-5; VI, 1-2.

the places that have been built." Turning to welfare management Mr. Blaxall said: "Within recent months the regulation has gone out that new welfare services for Africans are to be managed by Africans. To insist that new welfare services can only be recognized if managed by Africans, will make many services virtually impossible. I can think of no country in which the least developed section of the community is expected to manage its own welfare services with only the help of an absent advisory committee." (*Rand Daily Mail*, October 9 and 15, 1958.)

The *S.A. Sunday Times* (September 21, 1958) wrote: "What is to become of 254 small children with nowhere to go? (They) are . . . Native children who have been found living on European premises in Johannesburg in 5,160 night inspections during the last six months. Regardless of age, children of Native servants are regarded as 'illegal tenants'. The law orders that they shall be removed from the European area. European owners of the properties on which the children were found have been served with notices to this effect.

"According to an official of the Non-European Affairs Department, further inspections will be made to see if the children have been sent away. If not, the European owners of the properties are liable to prosecution, he says. . . .

"A welfare worker said: 'This situation is a nuisance to employers who don't want to lose good servants. It is a nuisance to the Non-European Affairs Department who have their hands full, anyway. But to the children and to the mothers—it is a tragedy.'

"In most cases the mother was not married (and) was probably the sole support of her child. If she was a second general urban dweller all tribal ties would have been cut. There would be no kraal to which she could send her baby. . . . There are crèches in the townships for Native babies whose mothers work. But there are no institutions to care for a child whose mother is away at night also."

Professional. The South African Nursing Association decided at its national congress that there would be no point in holding a referendum to find out what nurses thought of the nursing *apartheid* Act passed by Parliament last year.¹

The Witwatersrand and Western Province branches, which asked for a referendum, abstained from voting after hearing argument against it. All the other branches opposed a referendum. Miss I. E. S. Freeman, representing the Western Province branch, said that her branch believed that there should be no racial discrimination in the nursing profession and from this came the request for a referendum.

Mrs. E. A. Bolton (Witwatersrand branch) said she felt it was important to know what nurses felt, even though the Act had been passed. "Do nurses support the discriminatory clauses or not? My branch, by a big majority, has been opposed to them," she said. Mr. H. H. A. Rautenbach (Durban) said a referendum would cause more friction. He believed that Non-Whites now wanted to form their own branches—although they feared intimidation—and that they wanted to have a say in the affairs of the Association. The fact that separate branches had already been formed indicated that many were "coming round to the way of the Act".

The president of the Association, Miss M. G. Borchers, said that the Non-Whites had rejected the idea of a referendum. They wanted to try out their responsibilities in their own professional association. "But we must not be too satisfied that opportunities have been given to our Non-White colleagues to develop," she added. The Association must be conscious of how much help the Non-Whites needed.

At the first S.A.N.A. Congress of Coloured and Indian nurses, Miss Borchers said that since the passing of the Nursing Act of 1956 the Association had been faced with dissension and division and it seemed that influences other than those in the interest of nursing were at work. "Where have we failed?" she asked. Had too many nurses failed to develop the individual sense of corporate responsibility towards their profession?

Dr. M. H. H. Ismail, of Pretoria, who opened the congress appealed for a close association between the Coloured, Indian and African nurses and indeed between all racial groups in the nursing profession. He stressed the need for more training colleges for Non-European nurses, particularly through the medium of Afrikaans.

The theme of the congress, which was attended by delegates from Kimberley, the inland areas of Natal and the Northern Transvaal was "the vital need for preventive health services in the country's economy".

At the Congress of African nurses a resolution from Natal was passed to the effect that separation was a standing if not a natural policy of the country. African nurses who furthered their qualifications should be given senior posts and the example of the Transvaal of giving an administrative post to a Native nurse should be followed by all provinces.¹ The resolution also urged that further arrangements be made whereby Africans could qualify for higher posts.

Delegates were warned that as more important posts were made available to their people they were under an obligation to show that the faith placed in them was justified. They were also told that it was hoped to start refresher courses for African nurses in the near future in the Transvaal and Cape.

The meeting was told that representations had been made to the Department of Native Affairs on the subject of pass laws as they affected nurses. Curfew regulations were at present under discussion and the S.A. Nursing Association had applied to send a deputation to discuss the matter with the Department. The conference was attended by delegates from eleven branches. (*Pretoria News*, October 17 and 22, 1958.)

"Church Clause"²

Mrs. E. Stott, a spokesman for a committee which was formed in Cape Town last year because of the threat of the "church clause" of the Native Laws Amendment Act, said: "The relevant clause of the . . . Act has not been implemented in the manner and to the extent originally anticipated. On the other hand, an amendment has been made to the Group Areas Act, which to some extent overlaps with the clause in question and which could be more drastic than the latter.

"Furthermore, the Government has been issuing proclamations under the Native Administration Act banning gatherings in urban areas attended by ten or more Africans. Some of these proclamations have been withdrawn, but new ones can, of course, be promulgated at any time. These new developments have obviously created a new situation more menacing than that which faced the 1957 conference.

"As the committee appointed to deal with the Native Laws Amendment Act has not actually had to deal with any threats to its constituent organizations, but since clearly freedom of association is being interfered with . . . a conference called on October 4 this year . . . sent a request to the Civil Rights League to take over the work of the freedom of association committee. The conference also appointed a caretaker committee consisting of Mr. D. B. Molteno, Q.C., and Mrs. M. Sullivan, with the request that they ensure that the wishes of the conference were carried out and with power in case of need to call a further conference." (*Pretoria News*, October 14, 1958.)

Sport

Maori tribes of the Western Bay of Plenty (North Island) asked the New Zealand Rugby Union to lay down a policy that All Black teams would be selected on football merit, irrespective of racial distinction; to advise the South African Rugby Board of this policy and, should it be unacceptable to South Africa, to abandon the 1960 tour by a New Zealand team.

Mr. F. M. Pinfold, one of the speakers at this meeting, said it was time that New Zealand stated unequivocally the stand it was prepared to take on racial relations within the country at a time when it appeared that racial intolerance in other countries was deteriorating into racial hatred. He said it would be refreshing for New Zealand to declare that its racial unity was more than mere lip service to a Christian ideal.

The move followed criticism of the New Zealand Union by groups throughout the country for its policy of barring Maoris from the team which is to tour South Africa. (*Pretoria News*, October 13, 1958.)

Mr. Frank Mellish, chairman of the South African Rugby Selection Committee, said that Maori players should "most decidedly" be included in the All Blacks team. They would be welcomed by the Springboks and by South Africa. . . . "I am sure that if New Zealand includes them they will

¹DIGEST IV, 5-6; V, 3-VI, 2.

²DIGEST V, 6.

²DIGEST IV, 5-V, 5; VI, 2.

be treated in South Africa with traditional courtesy and hospitality." (*Star*, October 24, 1958.)

Charlie Newham, who represented the Transvaal at fly-half on and off for fifteen years and was captain of the Springbok Test sides in the desert during the last war, said: "The South African Rugby Board should waste no time informing New Zealand that they want their best team to tour this country—even if it means selecting Maoris."

Fredie Turner, a member of the Springbok team in New Zealand in 1937, said: "It would only cause unnecessary embarrassment to the Maoris. There is no doubt that most of them are on a par with Europeans both socially and educationally. But they will feel out of place in South Africa."

Theo Pienaar, captain of the 1921 Springboks in New Zealand, said: "We are bound to the laws of the country—and that means no Maoris in the All Black team." (*S.A. Sunday Times*, October 26, 1958.)

Dr. Louis Babrow, who was a member of the 1937 team which toured New Zealand, said that he believed that the inclusion of Maoris in the New Zealand team would not be practicable in South Africa. "In some towns they would not be allowed to play. In Bloemfontein, for instance, no Non-Europeans are allowed in the stadium. Incidents like this would mar the whole tour. How could we ask any guest of our country to accept them?"

Mr. Brian Pfaff, who toured New Zealand with the 1956 Springboks said no players would raise any objection, but on the social side it would not be possible. (*Star*, October 24, 1958.)

In a letter written to the Minister of the Interior, Dr. T. E. Dönges, the Football Association of Southern Africa asked: "Notwithstanding the fact that there is no specific law prohibiting matches between Europeans and Non-Europeans, does the Department favour matches of this nature or matches between teams composed of Europeans and Non-Europeans?"

The Minister replied that the Government would recognize the F.A.S.A. as the sole national body on soccer in the Union, even if it lost international recognition, and that it was the policy of the Department to "take all steps to ensure the observance of the traditional South African way of life in regard to matches between sporting teams". (*S.A. Sunday Times*, November 2, 1958.)

"Apartheid" Condemned

The General Assembly, meeting in plenary session, adopted by an overwhelming majority a resolution criticizing the policies of *apartheid* of the Government of South Africa. As in previous years, the Assembly expressed its "regret and concern" that the Union Government had not yet responded to appeals of the Assembly "that it reconsider governmental policies which impair the right of all racial groups to enjoy the same rights and fundamental freedoms".

The vote on this resolution was seventy in favour, five against, and four abstentions. Those voting against the resolutions were Australia, Belgium, France, Portugal and Britain.

During the discussions in the Special Political Committee from which the South African representative was absent, Mr. G. M. Harrison (United States) said: "The U.N. began its efforts to promote human rights and freedoms with the Charter itself. . . . All members, by signing the Charter have pledged themselves under Article 56 to work toward universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion. The problem of racial relations that we are now considering for the seventh consecutive year concerns one of the members of the organization most directly and to that extent is primarily the concern of that member. At the same time it is related to the vast problem of human rights, a matter that concerns all members of the United Nations. . . .

"We all recognize that every nation has the right to regulate its own internal affairs. This is a right acknowledged by Article 2 para. 7 of the Charter. At the same time we must recognize the right—and the obligation—of the United Nations to be concerned with national policies in so far as they affect the world community. This is particularly so in cases where international obligations embodied in the Charter are concerned. . . .

"We in the United States consider that in working toward a solution of our own racial problems we are fulfilling part of our obligations under the Charter. The imperfect observance of human rights is not a phenome-

non peculiar to any one nation. Each member of the United Nations, as it strives to overcome inequalities of rights and freedoms, is fulfilling its international human rights obligations. To the extent that it is not, it is shirking or avoiding those obligations, and that is a matter of concern to all of us.

"The United States finds it difficult to equate a policy based on segregation with the obligations assumed under Article 56 of the Charter. It is our belief that a multi-racial and multi-religious society cannot be based on segregation or separation. The history of the United States proclaims its opposition to concepts based on segregation. In our view, men of all races and religions are the product of a common creation. We all share a common creation. We all share a common destiny. In our view, separation on the basis of race is inconsistent with the principles of equal rights of peoples to which we have all subscribed. . . .

"We believe that the only way in which a problem of this nature can be approached constructively is in a spirit of co-operation rather than through condemnation. In this connexion we rely upon the force of world public opinion. Just as hostile public opinion can serve to isolate those who reject the standards of the community, so an informed and sympathetic public opinion serves to help a member overcome a problem. It is in this spirit that the United States will support the resolution embodying these principles which we understand will be introduced by a large number of co-sponsors. . . ." (*U.S. Press Release* 3024, October 16, 1958.)

Mr. W. J. Browne, M.P. (Canada), told the committee that the United Nations had a right to take a stand on *apartheid*. Canada hoped that the resolution would serve as an important declaration of world opinion, which would have an important effect in promoting greater observance of human rights and fundamental freedoms and lead to the "amelioration of the unhappy situation in South Africa". (*Pretoria News*, October 21, 1958.)

In New Zealand, the *Dominion* (October 24, 1958) welcomed New Zealand's decision to associate herself in the United Nations with critics of South Africa's *apartheid* policies and described this act as "a significant departure from this country's equivocal policies of recent years", and added: "The Government's action does not imply lack of understanding of South Africa's difficulties or of the fears behind the Nationalists' obsession with the White Man's rule. The tragedy is that *apartheid* will only aggravate their problems."

The *Pretoria News* (October 22, 1958) said: "Whether or not it is accepted, an argument of sorts can be made out for an international aspect to the two other issues between the Union and the United Nations—South West Africa and the treatment of people of Indian origin. But general racial policies are quite clearly domestic and even those who argue that the United Nations is concerned can only do so by saying that the Union is not carrying out the obligations of the Charter. But even they cannot suggest that this failure is in anything but domestic policies."

"At least three of the five voting against went out of their way to say that their votes were based on the principle of non-intervention and should not be taken as any indication of approval of South Africa's policies. And, as for progress towards an understanding of the Union's point of view, the United States, which has previously abstained, this time voted in favour of the condemnatory resolution.

"We believe that this constitutes an infringement of our sovereignty by the United Nations. We believe that this Government is responsible to the electorate and not the United Nations. But the reality of an absolutely unanimous condemnation by the governments of every other nation in the world, including our closest friends, must be accepted. To expect a modification of that unanimous condemnation while present policies continue is to be guilty of hopelessly wishful thinking."

Fr. Huddleston wrote to *The Times* (October 27, 1958) drawing attention to the U.K. voting on *apartheid* at the U.N. In reply Mr. G. H. Longden, M.P., said: "Father Huddleston's letter in your issue of October 27 once again seeks to misrepresent this country's position in the annual U.N. debate on the racial policies (*apartheid*) of the Union of South Africa. Our attitude is grounded solely upon article 2 (7) of the charter which reads as follows: 'Nothing contained in this present Charter shall authorize the U.N. to intervene in matters which are essentially within the domestic jurisdiction of any State. . . .' It is the United Kingdom position that the

racial policies of the Union are matters which are essentially within her jurisdiction. . . .

"The terms of this article are clear beyond a peradventure and unless and until the charter is amended, they impose an absolute ban upon these discussions." (*The Times*, November 6, 1958.)

Father Huddleston replied that "if, as Mr. Gilbert Longden, M.P., assures us . . . the terms of article 2 (7) are clear beyond a peradventure" it argues a degree of dishonesty or cynicism in the sixty-seven countries who voted in favour of the resolution which I find it hard to credit. The truth would seem to be that there is a difference of opinion between "colonial" Powers and the vast majority of other nations as to what constitutes "intervention" and as to the definition of matters "essentially within the jurisdiction of any State".

Dr. Andrew Martin, of the Faculty of Law, University of Southampton, commented on Mr. Longden's letter as follows: "The letter from Mr. Gilbert Longden, M.P. . . was written in his capacity as a member of the United Kingdom delegation to the United Nations. That in itself is sufficient reason why one should examine with the utmost seriousness his statement of those legal considerations which prompted the recent British vote against an Assembly resolution backed by seventy votes—an overwhelming majority. . . .

"Mr. Longden treats as self-evident the proposition that the racial policies of a State are essentially within domestic jurisdiction. There is no warranty for this axiomatic treatment. The point is highly controversial. In that controversy, the position of the leading British treatise (Oppenheim's International Law, edited by Professor Lauterpacht of Cambridge, now the British member of the International Court of Justice) is quite clear; the rule that a State can treat its subjects according to discretion is subject to its international obligations—in particular the general obligations of the Charter of the United Nations relating to human rights and fundamental freedoms" (Eighth edition, p. 288).

"What next? If racial policies are essentially domestic matters (so Mr. Longden's argument continues) then it is 'clear beyond a peradventure' that an absolute ban is imposed upon the discussion of such policies on the forum of the United Nations. That is because under Article 2 (7) of the Charter, the United Nations must not 'intervene' in domestic matters.

"This, then, is Mr. Longden's second axiom: discussion is tantamount to 'intervention'. I submit that this proposition is an unmitigated fallacy. It strikes at the very roots of the United Nations. It is therefore in the public interest that Mr. Longden should be challenged to prove his thesis and identify those judicial decisions, resolutions of United Nations organs, and teachings of reputable publicists upon which he relies."

Dr. Martin then quoted from the 1945 White Paper¹ to show that the Charter authorized the General Assembly to discuss and make recommendations concerning any matter which affects the peace of the world or the general welfare of nations. The duty of making recommendations for the purpose of assisting in the realization of human rights and fundamental freedoms is specifically laid upon it. He added: "The positive vote of seventy delegations shows conclusively that, in the view of the vast majority of member States, the racial policies of the Union affect the welfare of nations and are a challenge to the Assembly's responsibility for assisting in the realization of human rights. On that premise, Mr. Longden's axioms are clearly incompatible with what was, at the time of ratification, the official interpretation of the Charter in this country." (*The Times*, November 10, 1958.)

Mr. John Todd wrote expressing the view that "A recommendation to a member State to alter its domestic legislation is surely by any standards intervention 'in matters essentially within the domestic jurisdiction' of that State" and added ". . . it seems a gross simplification to argue that British Governments (Labour and Conservative) have voted as they have done to shield the Union of South Africa? It seems more likely that they have felt that the Charter should not be subject to annual, ritual violation; and that if the internal affairs of more important nations were discussed there would be a danger that some major members would leave the United Nations. . . .

"It would, I imagine, be open to the United Nations to discuss racial discrimination in such terms, if they thought fit." (*The Times*, November 12, 1958.)

Support for those opposing *apartheid* has come from the General Convocation of the Episcopal Church in the United States of America which adopted the following resolution (October, 1958):

"Whereas, the Lambeth Conference of 1958¹ has condemned discrimination of any kind on the grounds of race or colour alone, and has urged that members of all races be allowed:

(a) A fair and just share in the government of their country;

(b) A fair and just share in the control, development and rewards of the natural resources of their country, including advancement to the highest level of attainment;

(c) The right to associate freely in worship, in education, in industry, in recreation and in all other departments of the common life; and

"Whereas, the Bishops of the Church of the Province of South Africa 'for the gravest reasons of conscience' have called on the members of the Church to ignore the provisions of the 'Church clause' of the Native Laws Amendment Act, which allows for the forbidding of interracial worship; therefore be it

"Resolved,

1. That this General Convention of the Protestant Episcopal Church, commends the witness of the Church of the Province of South Africa in the face of the doctrine and practice of *apartheid*;

2. That we encourage the Church of the Province of South Africa in its resistance to the attempts of the Government of the Union of South Africa to enforce *apartheid* in the life of the Church;

3. That we ask our Church people to inform themselves concerning the Church of the Province of South Africa;

4. That we ask the continued prayers of all our Church people for the Church of the Province of South Africa and for all the people of the Union of South Africa."

SOUTH WEST AFRICA

The U.N. Decides Against Partition Proposal

WHEN THE GENERAL ASSEMBLY met on October 30 the report of the Fourth Committee on "The Question of South West Africa" was considered.

The report (Doc. A/3959) recommended five resolutions for approval by the General Assembly.

Resolution I, on the Good Offices Committee, after expressing the Assembly's appreciation of the difficulties of the task of the Good Offices Committee, declared in the operative paragraphs that the Assembly:

"1. Decides not to accept the suggestions contained in the report of the Good Offices Committee that envisage partition and annexation of any part of the Territory as a basis for the solution of the question of South West Africa;

"2. Invites the Good Offices Committee to renew discussions with the Government of the Union of South Africa to find a basis for agreement which would continue to accord to the Mandated Territory of South West Africa as a whole an international status, and which would be in conformity with the principles and purposes of the United Nations."

The resolution also requested the Good Offices Committee to submit a further report to the General Assembly's fourteenth session.

Resolution I was approved by a vote of sixty-one in favour to eight against, with seven abstentions.

Resolution II, submitted by the Fourth Committee, dealt with petitions and related communications in regard to South West Africa. In its operative part, the resolution would have the General Assembly "draw the attention of the petitioners to the report and observations of the Committee on South West Africa regarding conditions in the territory, submitted to the General Assembly at its thirteenth session, and to the action taken by the General Assembly on this report".

This resolution was adopted by a vote of sixty-four in favour to none against, with thirteen abstentions.

Resolution III, submitted by the Fourth Committee, dealt with conditions in the territory of South West Africa. The resolution expressed appreciation of the work of the Committee on South West Africa and approved its report concerning conditions in the Territory of South West

¹Cmd. 6666.

DIGEST VI, 2.

Africa. It also "expresses its deep concern regarding the social, economic and political situations now prevailing in the territory"; and "decides to draw the attention of the Government of the Union of South Africa to the report of the Committee".

The Assembly first voted by roll-call on the paragraph expressing "deep concern regarding the social, economic and political situations now prevailing in the territory".

This paragraph was adopted by a roll-call vote of fifty-nine in favour to two against (Italy, United Kingdom), with eighteen abstentions (Australia, Belgium, Brazil, Canada, Denmark, Dominican Republic, Finland, France, Luxembourg, Netherlands, New Zealand, Norway, Peru, Portugal, Spain, Sweden, Turkey, United States).

Two delegations—Bolivia and South Africa—were absent.

The resolution as a whole was then adopted by a vote of sixty-four in favour to one (United Kingdom) against, with thirteen abstentions.

Resolution IV reiterated decisions taken by previous Assembly sessions "to the effect that the territory of South West Africa be placed under the International Trusteeship System", and went on to assert that "in the present conditions of political and economic development of South West Africa, the normal way of modifying the international status of the Territory is to place it under the International Trusteeship System by means of a trusteeship agreement in accordance with the provisions of chapter XII of the Charter of the United Nations".

This resolution was adopted by sixty-two votes to none, with fourteen abstentions.

Resolution V, submitted by the Fourth Committee, dealt with "legal action to ensure the fulfilment of the obligations assumed by the Union of South Africa in respect of the territory of South West Africa". By this resolution, the General Assembly, having received from the Committee on South West Africa a further report (Doc. A/3906) on the question of securing from the International Court of Justice advisory opinions in regard to the administration of South West Africa, would decide to resume further consideration of this question at its fourteenth session.

This resolution was adopted by a vote of sixty-eight in favour, none against, with eight abstentions. (*U.N. Press Releases*, October 30, 1958.)

When *Resolution I* was passed in the Fourth Committee it was adopted as a whole by a vote of fifty-five to nine with eight abstentions.

In the separate votes on the various paragraphs, the paragraph which would decide not to accept the suggestions envisaging partition and annexation was adopted in a roll-call vote of fifty-seven to none with sixteen abstentions. Countries which abstained were: Australia, Belgium, Brazil, Canada, Dominican Republic, France, Guatemala, Israel, Italy, Netherlands, New Zealand, Portugal, Spain, Turkey, United Kingdom, and United States.

The paragraph which would invite the Good Offices Committee to renew discussions with the Union Government was first voted on in parts and then adopted as a whole by a roll-call vote of fifty-two to nine with twelve abstentions.

Voting against this paragraph were: Albania, Bulgaria, Byelorussia, Czechoslovakia, Hungary, Poland, Rumania, Ukraine, and U.S.S.R. Countries which abstained were: Belgium, Brazil, Canada, Ethiopia, France, Guatemala, Italy, New Zealand, Portugal, Spain, United Kingdom and United States. (*U.N. Press Release GA/T/734*, October 22, 1958.)

In the course of discussions in the Fourth Committee Sir Charles Arden-Clarke said that the Good Offices Committee had been fully aware that, from the point of view of the General Assembly, a Trusteeship Agreement would be the solution most acceptable. It was equally aware of the Union Government's attitude towards that solution. It was convinced that its good offices would be to no avail if it ignored the realities of the situation. Therefore, while fully reserving to itself the intention of raising at an appropriate stage the possibilities of trusteeship, it took the view that a more promising initial approach in its discussions with the Union Government and one which would engender most confidence, would be to seek a form of agreement based on the Mandates System.

In the course of the early discussions between the Good Offices Committee and the Union Government a "measure of agreement" began to

appear. There had been acceptance up to a point of the Committee's definition of the international status of South West Africa, and acceptance up to a point of the obligations to be undertaken by the Union Government. But this measure of agreement had lost its significance when the Committee and the Union Government came to discuss the identity of the international authority which would be involved. . . . It was implicit in the Committee's approach that the United Nations, whether acting direct or through an appointed agency, could alone be the second party to the agreement. The Union Government, for its part, continued to find it impossible to accept the United Nations as the second party or to accept any commitment making it responsible to the United Nations for the administration of the Territory. This, Sir Charles said, ruled out not only reconstruction of the Mandate machinery, but *a fortiori* Trusteeship as a possible basis of agreement. He said that it should not be assumed that the Committee agreed with all the interpretations given by the Union Government concerning the historical, legal and other aspects of the question of South West Africa.

Sir Charles said that the Union Government proposed that the agreement along the lines which it and the Committee had been then discussing, and on which a measure of common ground had been found, should be concluded not with the United Nations but with what it termed the three remaining Allied and Associated Powers—that is, France, the United Kingdom and the United States. The Union Government was willing to see embodied in such an agreement a provision specifying that South West Africa possessed an international character, rather than an international status, in that the Territory had not been annexed by the Union in the generally accepted sense of the term; that this international character derived from the arrangement at the Peace Conference at Versailles and that the Union would not be able to amend the international character of the Territory without the consent of the three Powers. The agreement would also include the "sacred trust" provisions of the Mandate relating to the administration of the Territory, subject to the modification of the military and defence provisions of the Mandate, and conditional upon the understanding that the obligations thus accepted would be interpreted in the manner in which they were interpreted and accepted at the time the Mandate was granted to the Union. The Union Government was prepared to make information available to the three Powers in a form which in the Government's view would be sufficient to give the three Powers a reliable picture of conditions in the territory.

The Good Offices Committee informed the Union Government that it did not feel in a position to recommend this proposal to the General Assembly; it would, however, bring the proposal to the attention of the General Assembly for its consideration.

Sir Charles said that the South African Government's view on partition was that, if it were found to be practicable, it might be effected on the basis of the Northern portion containing the greater majority of the Bantu population being administered by the Union Government as an integral part of the Union under a Trusteeship Agreement with the United Nations, the rest of the Territory being annexed to the Union. The Committee for its part expressed the opinion that some form of partition, under which a part of the Territory would be placed under the Trusteeship Agreement with the United Nations, the rest of the Territory being annexed to the Union, might provide a basis of agreement.

Mr. Eric Louw, Minister of External Affairs of the Union of South Africa, said: "Our immediate reaction to the partition idea was that here was a practical proposal, probably the first of its kind in the past twelve years since the issue had been debated. The Union Government was quite prepared to investigate the feasibility of the proposal, if invited to do so by the General Assembly." (*U.N. Press Release*, September 29, 1958.)

Mr. Eric Louw warned the Fourth Committee that if hearings were granted to the Rev. Michael Scott and Mr. Eric Getzen (Mburumba Kerina) in full knowledge of his Government's "strong feelings" on the subject it would jeopardize the "good work" that had been done by the Good Offices Committee. Moreover, he said, oral evidence was "inadmissible" on judicial grounds.

The Committee resolved by forty-five votes to nineteen with nine abstentions to grant oral hearings on the report of the Good Offices

Committee. By sixty votes to five with nine abstentions it was then resolved that hearings should be granted on the report of the South West Africa Committee.

In each case the United Kingdom voted with South Africa against hearings being granted as also did Australia, Belgium and France.

The Committee then adjourned its discussions on South West Africa while the South African representative referred the matter to his Government. (September 30, 1958.)

On October 6, Mr. Eric Louw told the Fourth Committee that his Government had decided to absent itself from further participation in the Committee's discussion of the South West Africa question because of the "hostile" attitude of the large majority of the Committee members.

Mr. Scott, presenting his testimony, recalled that Mr. Louw in his earlier intervention had made "serious allegations" both against himself and against Mr. Getzen. He regretted that there had been no "confrontation of views", in order to establish "where the truth lies". Quoting from a letter dated September 9, 1958, from Chief Hosea Kutako, Mr. Scott said the Herero opposed any proposal calling for the partition of South West Africa. The Territory, the letter said, was a geographic unit and it could not be partitioned without endangering the people, politically, socially and economically. In view of the native policy of the Union Government, it would be morally wrong to bring more Non-European population under its rule, he said. The letter, Mr. Scott continued, expressed surprise at how a responsible body like the Good Offices Committee could have come forward with a proposal on partition.

Citing another letter dated September 16, 1958, from a number of chiefs of the Mama tribe, Mr. Scott said they too were opposed to any partition of South West Africa. The Territory, the letter said, was a mandated territory, with self-government as the ultimate aim. It would not be partitioned for mere political expediency. If partitioned, part of South West Africa would be left to the mercy of the cruelties of the South African Government. The Union Government, the letter said, had deprived the people of their land and their rights. The letter, Mr. Scott continued, strongly begged the U.N. not to "waste its time" considering the partition proposal, but to carry on with its consideration of other steps for placing South West Africa wholly under the U.N. immediately, the Territory to be administered by a country or group of countries appointed by the United Nations.

Arguing in support of these petitions, Mr. Scott said that partition would be an act of *apartheid*, allowing South Africa to incorporate one part of the Territory and to administer the other as an integral part of the Union—and this with the sanction of the United Nations. He reminded the Fourth Committee that there were nearly three times as many Non-Europeans as Europeans even in the area it was proposed to hand over. Further, this area was by far the more highly developed of the two. The latest available trade statistics showed that income from exports, amounting to £36.8 million, came mainly from the south. The Territory's revenue had increased from £2.8 million in 1946–47 to £12 million in 1957–58 and again the south was the main source of wealth. This rapid economic growth and prosperity of the south explained the Union Government's desire to annex it.

Mr. Scott said that the northern area had a largely subsistence economy and relied for its purchasing power and its ability to pay taxes on migrant labourers working on mines and farms in the south. Partition would still leave the people of the north dependent upon work in the south (Police Zone) or in the Union, where pass laws and other discriminatory measures would be applied to them, and the area itself would be dependent upon the Union's willingness to provide funds for its development. In 1955–56, after the Union Government had taken over the administration of Native Affairs in South West Africa, expenditure under this head—on Native health, education, administration and the development of Native areas—had amounted to less than 1 per cent of the total Territorial Budget: much less than this had therefore been spent on the northern areas, where the vast majority of the population lived. (The proportion spent under this head had been slightly higher, about 4 per cent, when control of Native Administration had been vested in the Territorial Assembly.) During the entire history of the Mandate the Union Government had not spent any of its own money on Native Administration in the Territory (apart from

a few thousand pounds a year on the Caprivi Zipfel) and since 1955 it had in fact actually spent less on Native Administration than the Territorial Assembly had contributed to it for that precise purpose.

As in the case of the Native Reserves in the Union, the northern part of South West Africa was treated merely as a reservoir of cheap Native labour. By contrast, an enlightened administration which was prepared to co-operate with the U.N. and its specialized agencies could develop the Territory to the advantage of all its inhabitants.

Mr. G. H. Longden, addressing the Fourth Committee, said the United Kingdom Government was not wedded to any particular solution of South West African problems. The territory had been entrusted by the Principal Allied and Associated Powers in 1920 as a Mandate to the British Crown to be exercised on its behalf by the Government of the Union of South Africa. This Mandate was confirmed by the Council of the League of Nations.

The Union of South Africa was at that time recognized as having an international identity independent of the United Kingdom, though owing a common allegiance to the Crown; but this common allegiance did not imply any subordination of status as between the Union of South Africa and the United Kingdom.

Referring to the proposal that the three remaining Principal Allied and Associated Powers should act as the second party to an agreement with South Africa for the administration of the Territory, Mr. Longden said that while he had made it clear that his Government did not "at this moment" hold any brief for any particular solution "if the Union and the United Nations were both to agree upon a solution on those lines, we should be prepared—albeit reluctantly—to give serious consideration to carrying out such responsibilities as might be placed upon us as a result".

Of the fact that South Africa had absented itself from the Fourth Committee's deliberations, Mr. Longden said: "It did so because the Committee had decided by a large majority to hear petitioners on sub-item (a) (the Good Offices Report). The spokesman of the Union had warned us that if we did so that would be the likely effect. This was because public opinion in the Union (about which he must know more than we can know) takes so strong a view about petitions in general and one petitioner in particular. In any event, we greatly regret the circumstances which led to the decision of the Union Government."

Of the partition proposals, Mr. Longden said: "My Government has no intention of committing itself one way or the other on this suggestion at this stage of its history. How could it without knowing the relevant facts, or the wishes of the inhabitants? . . .

"The United Kingdom Delegation considers that we could do worse than invite the Union Government at least to put forward specific proposals to the Fourteenth Session for its impartial and uncommitted consideration.

"If, however, the majority of the Fourth Committee refuse to respond favourably to that suggestion of the Good Offices Committee, then the United Kingdom Delegation considers that the General Assembly should invite the present members of the Good Offices Committee, with their present terms of reference, to re-open discussions with the Union Government and report again to us during the Fourteenth Session."

English Newspaper Boycotted

The Administration has announced that it will boycott the *Windhoek Advertiser* in future. This means that its reporters are to be treated as ordinary members of the public and not pressmen. The Administration does not control such branches of the public service as the Railways, Police, Immigration, Customs, Native Affairs, Defence and Transport, which are still treating the newspaper as before.

But the departments of Justice, Education, Agriculture and others are affected by withdrawal of official recognition. However reporters of the *Advertiser* went into the Magistrate's Court where they reported a case without any difficulty.

The editor of the *Advertiser*, Mr. Dan Minnaar, said today that the Administration's ban would not unduly affect his newspaper. Every other newspaper in Windhoek had promised to pass on any news coming from

the Administration, with the exception of *Die Suidwester*, official organ of the National Party. (*Rand Daily Mail*, October 14, 1958.)

Nationalist Unpopularity

The *Sunday Express* (Johannesburg, October 10, 1958) reported that public feeling against the Nationalist Party in South West Africa was running so high at the moment that the United National South West Party stood an excellent chance of wresting a Windhoek parliamentary seat from them at the by-election for Dr. Van Rhijn's seat.

The paper said that two things had made the Nationalists particularly unpopular. First, their official boycott of the *Windhoek Advertiser* had alarmed many Germans who recalled Hitler's machinations with the press in the 'thirties. Secondly, the "promotion" of Dr. Van Rhijn to London was resented because he was South West's representative in the Cabinet and Dr. Verwoerd had said that at present he was unable to give South West Africa another Minister.

HIGH COMMISSION TERRITORIES

The Incorporation Issue

DR. H. VERWOERD, Prime Minister of South Africa, delivering the main address at the annual congress of the Nationalist Party in the Cape said the establishment of a republic in South Africa had become practical politics. Dr. Verwoerd said it had occurred to him that the failure to transfer the Protectorates to the Union might have been an indirect and perhaps unintentional means of hindering the establishment of a republic.

A republic and the transfer of the Protectorates were not related. The undertaking given in 1910 about the future of those territories must be carried out whether South Africa was a republic or not.

The transfer of the Protectorates would be of far greater value to the Natives than it would be to South Africa. It would mean the taking over of a financial burden which today rested with Britain. Whites would not be allowed to occupy the Protectorates after their transfer. In certain parts of Swaziland and Bechuanaland the position had already become difficult by the number of Whites who had been allowed to settle there. "We cannot take away their rights, but we will not extend them," he said.

South Africa had, however, a real interest in the transfer of the Protectorates. There was a danger that those territories would become mixed areas with partnership governments. This kind of Government would not satisfy the Natives and the effects would be felt in South Africa. Only if they were transferred to the Union could there be the assurance that they would remain Native areas.

At the Transvaal Congress of the Party, Dr. Verwoerd said the Union of South Africa would gain no territory by the incorporation of these Protectorates. They would remain in the possession of those who owned them now. What the Union would gain would be an assurance that territories inside its borders would not be developed in directions contrary to the pattern being pursued in the Union itself. (*The Times*, November 14, 1958.)

¹ Sir Percivale Liesching, the retiring High Commissioner for the United Kingdom in South Africa and High Commissioner for Basutoland, the Bechuanaland Protectorate and Swaziland, told the South African Press Association that the future of the High Commission Territories . . . rested firmly on the pledges given repeatedly by successive Governments at Westminster; the one relating to the consent of the inhabitants and the other on the position of the United Kingdom Parliament in the matter.

Sir Percivale said: "The High Commission Territories are advancing into a constitutional sphere, into more representative forms of government, but it is not to be foreseen that their progress along those lines, which is the policy of Her Majesty's Government, would ever mean that they would advance to the status of independence comparable with Ghana—that is, complete independence within the Commonwealth.

"The territories are going ahead extremely well. All are making progress, helped economically by funds from England and from the Colonial Development and Welfare Services. A good deal of money has been spent and the fruits are now beginning to be seen. There has been marked progress in all three territories, particularly Swaziland, which is more favoured by natural resources and by climate.

"On the political front in the territories I think I can say that in the last four years or so we have enjoyed a very quiet and harmonious period between all races. The High Commission Territories can carry on very well." (*Pretoria News*, October 29 and 31, 1958.)

In an editorial comment the *Pretoria News* (October 29) said: "When incorporation was thought of, as it seems to have been in 1910, as merely a matter of time it was contemplated in the situation then existing as merely the transfer of administrative control from one British authority to another. In the present context that would involve a transfer from one Commonwealth country to another with the inhabitants of the territories continuing to owe allegiance to the same Queen.

"Even Dr. Verwoerd must surely see that this would be an easier process for a British Government to contemplate than a transfer of these people to a foreign country owing no allegiance to the Queen—which is what South Africa would become under a republic."

A letter to the *New Commonwealth* (November 1958) signed "Transvaal Britisher" said: "Apart from a desire to extend Afrikaner imperialism, South Africa's claim to these Protectorates rests on no more valid basis than would a similar claim to incorporate Portuguese Mozambique.

"There is a cold racial war raging in the Union of South Africa, and this Nationalist claim to the Protectorates will receive no British South African support. There should be no worry about the Nationalist Government's 'good will', which is something that the British would never get under any circumstances. The 1948 Citizenship Act was passed by the Nationalists, soon after they got into office, with the definite policy of preventing incoming British settlers from obtaining citizenship status. The transfer of these British territories to a hostile racial Government would mean the extension of the Citizenship Act to the detriment of British South African citizens' interests. Land in these Protectorates would be parcelled out to Union poor Whites.

"Obviously the time has arrived when the British Government should declare the Protectorates a closed issue and state that no further discussion on this subject can be entertained."

Basutoland

Discussions on the Constitution

THE Secretary of State for Commonwealth Relations invited a delegation from the Basutoland National Council to London to discuss the Report on Constitutional Reform and Chieftainship Affairs.¹

The *Observer* (November 16, 1958) said that Dr. Verwoerd's challenge to Britain to declare what she can do for the High Commission Territories was a useful reminder of the vital significance of these territories. "Though Britain now at last seems to realize the necessity for eventual self-government . . . she has too long been forced on the defensive in regard to their economic conditions. In most material matters the Africans in these isolated countries are a good deal worse off than those in South Africa. . . . Hence the depressing migration of Basutos and Bechuana to Johannesburg. Even in the professions, particularly in teaching, the salaries in Basutoland are far less than their equivalent for Africans in South Africa.

"The burden of subsidizing these relatively poor territories . . . should not fall on Britain alone. There is an ideal opportunity . . . to enlist the help of other countries both through the Commonwealth and through the U.N. special agencies. This . . . could also make it clear, both to the Protectorate Africans and to the South African Government, that not only Britain but the whole world is interested in the independence of the Protectorates."

¹DIGEST VI, 2.

Professor D. V. Cowen, adviser to the Basutoland delegation and the author of the report, wrote in *The Times* (November 14, 1958): "With cautious common sense the Basuto . . . recognize that advances in self-government should be accompanied by the retention in the background of normal reserve powers by the British Government. . . .

"The present proposals are, it is hoped, a basis for progress; though the Basuto would be the first to recognize that constitutional reform by itself is not a specific for all their difficulties. Without it there is manifestly little hope; but even the best constitution, sympathetically administered, will be no substitute for strengthening the foundations of a precarious economy. There are thousands of Basuto, too, who are embarrassed by lingering superstition and ritual excesses. But these difficulties are no reason for denying the average Basuto scope for developing his proven and admirable talents." . . . Professor Cowen concluded: "The challenge to British statesmanship is to decide squarely whether the Basuto are to be allowed to develop to the limits of their capacity, unhampered by the trends of political thought or action which may from time to time obtain in South Africa."

WEST AFRICA Ghana

Changes in the Cabinet

DR. NKRUMAH, the Prime Minister, has announced that he has taken over the Ministry of the Interior and given up the Ministry of External Affairs. Mr. Krobo Edusei (Interior) has become Minister of Communications; Mr. P. K. Quaidoo (Communications), Minister of Trade; and Mr. K. Botsio (Trade), Minister of External Affairs. Thus, it was announced, the Prime Minister took over "full responsibility for the internal and external security of the State". The changes followed a report, subsequently denied, that Mr. Edusei, as Minister of the Interior, had signed an order authorizing the seizure of the passports of all Opposition Members of Parliament. (*Manchester Guardian*, November 14, 15 and 17, 1958.)

Proposal to Change Constitution

A two-thirds majority in Parliament before amendments can be made to the Ghana Constitution will no longer be necessary if a Government Bill, the Constitution (Repeal of Restrictions) Act 1958, becomes law.

The Bill provides for the repeal of Section 32 of the constitution under which no bill for the amendment, modification, repeal or re-enactment of the constitutional provisions, other than legislation affecting alteration of Regional boundaries, can be submitted for the Royal Assent unless "the number of votes cast in favour thereof at the third reading in Parliament amounted to not less than two-thirds of the whole number of members of Parliament". It has passed the Committee stage, and has been sent to the various Houses of Chiefs and Regional Assemblies. The *Ghana Daily Graphic* (November 7, 1958) reported that four of the Houses of Chiefs including the Ashanti had passed the Bill.

The Bill will remove the provisions that legislation for "abolishing or suspending any regional assembly or diminishing the functions or powers of any regional assembly needs approval both by a two-thirds majority of the National Assembly and of four out of five of the Regional Assemblies".

The Bill would also repeal Sections 33 and 35 of the constitution. Under Section 33 the Bill would eliminate provisions that a referendum must be held to approve alterations in boundaries affecting not less than 10,000 voters or alterations that would involve the creation of a new region.

Under Section 35 the Bill would repeal the provision that any Bill affecting the traditional functions or privileges of a chief must be referred to the House of Chiefs in his areas after the first reading in the National Assembly, and that the second reading might not be held before three months elapsed. (*Ghana Daily Graphic*, October 27, 1958.)

The Times (November 8, 1958) commented: "To those accustomed to the checks and balances that have grown up in democratic constitutions in other lands, such a clean sweep as the Ghana Government now proposes will be looked at with suspicion. . . . If further challenged on the issue, Dr. Nkrumah is likely to remind his critics, as he has done before, that Africa is having to create her own form of democracy that cannot in all respects be identical with the Western variety."

"What the champion of Western democracy is left wondering is how far the Ghanaians (and there will soon be others in Africa with similar problems) will need to stray off the well-worn path and still expect their institutions to be called democratic. Democracy may be a bruised word but it is not capable of limitless contortion. . . .

"The significance of the present Bill is not that it is needed to maintain his Government's dominance but that it is the necessary first step towards the creation of a republic of Ghana."

Ghana to be a Republic

The Minister of the Interior, Mr. Krobo Edusei, has announced that Ghana will be declared a republic soon after the Queen's visit next year. As Her Majesty will be in Accra in October 1959, Mr. Edusei's confirmation of this constitutional proposal—originally announced by Dr. Nkrumah last June in Cairo¹—suggests that by 1960 a republic will be established. (*West Africa*, October 25, 1958.)

¹DIGEST VI, 1.

Foreign Policy

The Prime Minister, Dr. K. Nkrumah, in the course of a Parliamentary speech on foreign policy said: "The aim of the Government has been to follow an independent foreign policy, that is, a policy that is not committed ideologically or militarily with any particular power or power bloc. This policy of non-alignment we have interpreted to imply that the Government would act as it sees best on any issue in the light of the country's obligation to the United Nations' Charter, our position in relation to the African continent and the Commonwealth, our adherence to the principles enunciated at the Bandung and the Accra Conferences and our determination to safeguard our independence and sovereignty. As a result of pursuing a policy of non-alignment, Ghana has been able to make a positive and constructive contribution to the easing of the latest international tension in the Middle East. . . .

"It is a matter of crucial importance to us and to our sister African nations that the United Nations organization should become an effective instrument for the preservation of world peace . . . Ghana has a vested interest in peace. . . .

"We feel we have a special contribution to make by serving as a link between the Commonwealth and Africa, by interpreting one to the other, and by enriching the life of the Commonwealth with our peculiarly African approach and traditions.

"It is, however, above all in Africa that Ghana's foreign policy mainly lies. The Conference of Independent African States—the Accra Conference—has established a fundamental unity of outlook on foreign policy which is of deep significance to the role of the African nations in international affairs. . . .

"Our representative in the United Nations is working in close association with his colleagues from the other seven African independent states to ensure that the permanent machinery set up is made effective. The Government is also examining actively the concrete steps that we can take to realize the proposals I considered with the other Governments during my recent tour of the African states.

"There is one particular aspect of Ghana's policy in relation to Africa to which I now wish to refer. Recently, a statesman from another part of Africa was reported to have stated that Ghana had become the focus of anti-colonial forces and this statement was made with a sense of alarm.

"Ghana has made no secret of the fact that she rejects Colonial status for any part of Africa and that she desires to see all Africa free and independent. The overwhelming majority of the population of Africa are indigenous Africans. Even in countries of considerable European settlement, such as the Rhodesias and East Africa, over 90 per cent of the people are African. When we call for an end to colonialism, therefore, we are doing no more than stating our belief that the fact of a vast African majority should be accepted as the basis of government in Africa.

"Minorities naturally fear majority rule and safeguards and guarantees are needed in Africa just as they are needed elsewhere. Nor must it be assumed that the Africans are themselves not sensitive to the fact that denial of safeguards and guarantees will bring about difficulties that may affect their own economic and social progress. But these must not be used as a means of suppressing majority rights.

"We unreservedly stand by the resolutions of the Accra Conference on the future of the dependent territories in Africa. . . .

"When we say that we reject Colonial status for any part of Africa, and desire to see all Africa free and independent, we do not mean that we intend to resort to subversion to achieve our purpose. We feel confident in being able to inspire our fellow Africans still under foreign domination to achieve their freedom by ourselves making a success of our own freedom. Firstly, by maintaining an effective, stable and democratic government, and in creating economic and social conditions which will enable our people to attain a high standard of well-being. Secondly, by co-operating with the other independent African states, within and without the United Nations, urging that the Administering Powers respect the Charter of the United Nations and take rapid steps to implement the political aspirations of the people, namely, self-determination and independence. Thirdly, by giving all possible assistance to our brothers still under Colonial rule in their struggle to be free. And fourthly, by bringing to the conscience of the

world their burning desire to be self-governing, which is one of the inalienable rights of man." (*Ghana Today*, September 17, 1958.)

Regional Assemblies Meet¹

The five newly elected Regional Assemblies were formally opened by the Regional Commissioners. They were for the Northern, Eastern, Western, Ashanti and Trans-Volta Regions. Mr. Krobo Edusei, Minister of the Interior, is Acting Regional Commissioner for the Trans-Volta.

On the day of the opening an application by Mr. S. D. Dombo, Deputy Leader of the Opposition, which asked the court to declare the Regional Assemblies Act invalid was refused by Mr. Justice A. H. Simpson.

Previously the United Party decided to boycott the Regional Assemblies elections and the Government banned the U.P. from holding any public meetings until after the elections. This ban was lifted on October 31.

Government and the Chiefs

The Ashanti Stool Lands Bill which gave the Government power to control and manage Kumasi and other stool lands in Ashanti was passed into law at one sitting of the National Assembly.

An Opposition claim that the Bill contravened the provisions of the Ghana Constitutional because it dealt with the traditional functions of the Asantehene was overruled by the Speaker who explained that the functions of the Asantehene as provided by the Kumasi Lands Ordinance were statutory and not traditional. (*Ghana Daily Graphic*, September 9, 1958.)

The Times (September 11, 1958) described the Government's move as a serious material blow. Even more so is it a blow to the prestige of the Asantehene, the King of the Ashanti. It described the background to the Bill: "In the last decade Prempeh II had a difficult course to steer. Not only is he the head of the largest tribe in Ghana but he is also by virtue of his importance the symbol of the institution of chieftainship as such. In the early years the Nationalist movement in the Gold Coast was undifferentiated territorially, but when it became clear that the British really intended to grant the country independence the Ashanti went into violent opposition against the dominant Convention People's Party headed by Dr. Nkrumah. To this opposition the Asantehene and his chiefs gave support, both covert and overt.

"The Asantehene has therefore been an object of suspicion to the dominant party in Ghana on a number of scores. In February the Ghana Government appointed a one-man commission of inquiry into the affairs of the Kumasi State Council and the Asanteman Council. These are bodies of chiefs through which the Asantehene administers his affairs in Kumasi and more widely throughout Ashanti. The Commissioner found elements of maladministration in the lands department. He found also that £19,000 out of a total of £40,000 set aside for building a new palace for the Asantehene had been paid over to the Opposition Party, the National Liberation Movement. Such a transaction could probably be justified morally on grounds of Ashanti custom, but hardly legally or in any way else.

"After similar findings had been made with regard to Akim Abuakwa State, the next largest after Ashanti, the Okyenhene (paramount chief), Nana Ofori-Atta II, was removed by police from his palace at Kibi for resisting an ejectment order signed by Aaron Ofori-Atta, the Minister of Local Government. Later the hearing of charges of failing to deliver up possession of the Akim Abuakwa Stool property and hindering the Queen Mother in the execution of Her authority was adjourned indefinitely since the defence questioned the validity of the Statute Law Amendment Act under which the charges had been laid. The matter was thereupon transferred to the Supreme Court. The chief was granted bail on condition that he did not return to Akim Abuakwa." (*Ghana Daily Graphic*, September 25 and October 20, 1958.)

The Opposition

The national delegate conference of the United Party elected Mr. Odamten as National Chairman of the Party and Mr. J. A. Braimah, M.P., as deputy chairman. Mr. Odamten was a candidate of the National Liberation Movement (which merged into the United Party at the end of last year) in the 1956 general election and unsuccessfully fought against

¹DIGEST VI, 2.

Dr. Kwame Nkrumah, the Prime Minister. The previous chairman, Dr. Hutton Mills, resigned from the United Party earlier this year.

Describing the U.P.'s policy, the new chairman said the aims of the Party are to have Ghana co-operate with other African states; uphold the institution of Chieftaincy; expand the co-operative movement; maintain a system of parliamentary democracy; and work towards the early realization of the Federation of West Africa. (*West Africa*, September 27, 1958.)

Dr. K. A. Busia, Leader of the Parliamentary Opposition in the National Assembly, announced that he has no intention of quitting politics. "My conscience will not suffer me to do that," he declared. Dr. Busia also announced that he had decided to resign his post as Professor of Sociology and head of the Department of Sociology at the University College. (*Ghana Daily Graphic*, September 29, 1958.)

An American professor is to be appointed in his place as head of the Department of Sociology. He is Professor St. Clair Drake, from Roosevelt University. (*Manchester Guardian*, September 30, 1958.)

Mr. R. R. Ampomah, secretary of the United Party, was arrested at his Accra home and charged with sedition. He was alleged to have said: "The Ghana police, in particular the most senior officers, were conniving and condoning at a very serious crime by the Government of printing extra ballot papers in order to get up a one party dictatorship government in this country." He was remanded to face "criminal charges in the High Court".

The assistant general secretary, Henry Thompson, was found guilty on charges of contempt of court, and fined £300, with the alternative of six months' imprisonment. He was alleged by the prosecution to have attacked the integrity of the chief justice and another judge of the Ghana Supreme Court for acquitting the Government supporters who were recently brought before the courts charged with kidnapping members of the Opposition. Thompson was alleged to have said at an Opposition rally: "If one was a member of the Government party one could even commit murder and get away with it because Premier Nkrumah can influence the chief justice to set a person free." (*Manchester Guardian*, October 6, 1958.)

The total number of aliens deported since March 1957 is over fifty. The *Manchester Guardian* (October 31, 1958) said that they were political opponents of the Government party accused of meddling in the internal politics of the country. Those deported recently included the important Opposition leader, Mr. I. P. Young Braimah, formerly general secretary of the defunct Moslem Association Party, which merged with the Opposition United Party.

The Ghana Government ordered the arrest of forty-three Ghanaians alleged to be involved in a plot to assassinate Dr. Nkrumah, the Prime Minister; Mr. Krobo Edusei, the Minister of the Interior; and Mr. Kofi Baako, the Minister of Education.

The announcement said there was "no question of there being any general unrest in the country and the Government had no intention of limiting in any way the political activities of any political party or organization". It said a group of conspirators known as the "Zenith Seven" had been holding a series of meetings since the beginning of October, preparing plans to "overthrow by assassination and violence the lawfully constituted Government of Ghana". (*The Times*, November 11, 1958.)

Mr. Krobo Edusei, Minister of the Interior, signed an order authorizing police to seize the passports of all Opposition Members of Parliament except one who is abroad. (*Manchester Guardian*, November 14, 1958.)

Nigeria

Constitutional Conference, 1958

WITH the closing of the 1958 Constitutional Conference, it was announced that October 1, 1960, was the agreed date on which the Federation of Nigeria would achieve independence.

The following are extracts from the final communiqué of the conference, issued by the Colonial Office:

The resumed Conference on the Nigerian constitution, which opened on September 29, 1958, under the Chairmanship of the Secretary of State

for the Colonies, the Rt. Hon. Alan Lennox-Boyd, M.P., concluded on October 27, 1958.

The Conference agreed on the provisions which should be made in the Constitution to safeguard fundamental rights which should be entrenched in the Constitution.

Police. There should be constitutional provision for a single force under an Inspector-General responsible to the Federal Government. Forces within the individual Regions would be under the control of a Commissioner and be recruited by him under the general supervision of the Inspector-General as far as is practicable from within the Region.

The administration of the force should be the responsibility of a Police Council. The members of the Council would be the Prime Minister or the Federal Minister responsible for law and order, the Premier of each Region or the Regional Minister responsible for law and order, and the Chairman of the Police Service Commission.

The object of these arrangements would be to enable the Police to be regarded as a force belonging not to one Government but to all the Governments and to Nigeria as a whole to ensure without fear or favour that all men observe the law.

The Police Service Commission would become fully executive after independence and there will be special constitutional provision protecting the appointment of its members.

Self-Government for the Northern Region. The Conference agreed to recommend that constitutional provision should be made for the Northern Region to become self-governing on March 15, 1959.

The Judiciary. The Conference agreed that: (a) The appointment, dismissal and disciplinary control of judges in Native and Customary Courts throughout Nigeria should be divorced as far as possible from political and executive control; (b) Each Regional Government should review the situation in its own Region and should prescribe by legislation those Customary and Native Courts whose members should be appointed on the recommendation of the Judicial Service Commission; (c) The Regional Governments should seek to ensure that the appointment, dismissal and disciplinary control of all judges in Native and Customary Courts, other than Emirs, with power to impose prison sentences of more than six months or fines of more than £50 should be under the supervision of the Judicial Service Commission; (d) The appointment of Emirs as judges should be by the Governor in his discretion after consultation with the Judicial Service Commission.

Representation Overseas. It was agreed that the most senior overseas posts should be filled on the recommendation of the Governments, and that after independence there should be no Regional representation in countries outside the United Kingdom.

Nigerian Citizenship. Qualifications and disqualifications for Nigerian citizenship should be included in the constitution for independence which should also provide that no Nigerian citizen should be liable to deportation or exclusion from Nigeria. Further consideration should be given to the question of citizenship before April 1959.

Fiscal Commission. The Conference accepted the main Report of the Fiscal Commission.¹

Minorities. Some of the minority representatives from the Eastern Region raised the question of the treaties concluded towards the end of the nineteenth century between the Crown and the Oil Rivers Chiefs. In reply the Secretary of State made a statement on the obligations of the Crown under these treaties and indicated that there was nothing in the treaties inconsistent with the grant of full self-government to Nigeria as the logical conclusion of Her Majesty's Government's policy in the field of constitutional development.

New States. There was a full discussion of the [Minorities] Commission's conclusion that a case for the immediate creation of new States had not been made out. The Secretary of State proposed that provision should be made in the constitution for independence for a procedure to create new regions, and the Conference agreed on a special procedure involving various stages, viz: (1) Resolution passed by two-thirds majority in the Federal Legislature; (2) Approval of the resolution by a simple majority in two Regions, of which one must be the Region from which the new State was to be created, or, alternatively, by a majority of all the Regions;

¹DIGEST VI, 2.

(3) Enactment of the necessary legislation by a simple majority of the Federal Legislature; (4) Finally, a referendum in the area to be transferred.

Minority Areas. The Conference agreed that: (a) a Minority Area should be created in the Western Region and should consist of the whole of the Benin and Delta Provinces, excluding Warri Division and the Akoko-Edo District on the understanding that the position of Warri Division in relation to the proposed area should be further discussed locally by the Government of the Western Region with all the interests concerned; (b) the proposed Council should be composed of members of the House of Assembly, House of Representatives and House of Chiefs from within the area; (c) the functions of the proposed Council should be broadly to foster the well-being, cultural advancement and economic and social development of the Minority Area, to bring to the notice of the Western Regional Government any discrimination against the Area and to exercise such executive powers as might be delegated to it from time to time by the Regional Government; (d) there should be a Calabar Minority Area consisting of the former Calabar Province, subject to subsequent inquiry by the Governor of the Region and decision in his discretion as to whether any or all of the Annangs and Aro-Ibos should for this purpose remain in or be excised from the Area. The functions and composition of the Calabar Minority Area Council should be the same as those agreed in respect of the Mid-West Council in the Western Region.

The Establishment of a Niger Delta Development Board. The Conference agreed that there should be constitutional provision for the establishment of a Niger Delta Development Board for an initial period of ten years.

Amendment of Constitution after Independence. Amendment of entrenched provisions of the Federal Constitution should be by a majority of not less than two-thirds of all the members in each House of the Federal Legislature and concurrence of each House of the Legislatures of at least two Regions.

Amendment of the entrenched provisions of the Regional Constitutions should be by a majority of at least two-thirds of all the members of each House of the Legislature of the Region concerned with the concurrence by a majority of not less than two-thirds of all members of each House of the Federal Legislature.

Southern Cameroons. It was agreed between the Secretary of State and the Southern Cameroons representatives and subsequently approved by the Conference that no immediate constitutional changes should be made but that it should be open to the Southern Cameroons Government which would be formed after the elections to be held in January 1959 to request the United Kingdom to bring into effect certain changes.

The Conference unanimously confirmed that if it proved to be the wish of the people of the territory Nigeria would welcome the Southern Cameroons as part of the Federation with the status of full self-governing Region equal in all respects with the other Regions in an independent Nigeria.

Electoral Arrangements. The Conference agreed that the qualifications for voters for elections to the Regional Houses of Assembly should be the same as for the Federal Houses of Representatives.

Independence for the Federation of Nigeria. The Secretary of State said that no special significance attached to the date of April 2, 1960, and he felt that the essential thing was to make sure that there was proper time to complete the preparations for independence. 1959 would be a year of intense activity in Nigeria with regional self-government for the North and then Federal elections towards the end of the year. In view of developments since the last Conference and the understandings reached at this Conference he was authorized by Her Majesty's Government to say that if a resolution was passed by the new Federal Parliament early in 1960 asking for independence, Her Majesty's Government would agree to that request and would introduce a Bill in Parliament to enable Nigeria to become a fully independent country on October 1, 1960.

The Prime Minister of the Federation and the Premiers, in their replies, expressed their deep appreciation of the Secretary of State's announcement and their desire that co-operation between Britain and Nigeria should continue after independence and that Nigeria should, on independence, become a member of the Commonwealth. (*Colonial Office, October 27, 1958*)

The leaders of all the delegations attending the conference have stated that they are well satisfied with the decisions despite the fact that their demand has been for independence to come six months earlier.

The Federal Prime Minister, Alhaji Abubakar Tafawa Balewa, on his return home, said it was very encouraging to see how all the parties co-operated towards making the conference a success. He said that he went to England with the clear idea that independence was a necessity in 1960 and he was not surprised that Nigeria was getting independence in that year. (*News from Nigeria, November 1, 1958*)

Mr. Obafemi Awolowo, Premier of the Western Region, writing in the *New Statesman* (November 1, 1958) said: "We have a constitution which is, by and large, acceptable to us all. The pessimists have been confounded, for we have drafted our plans. The question is, will they work? The answer to this question will be found in the months to come. It will be found not in the words which have been reduced to paper, but in the good faith which the United Kingdom Government shows in helping us through the difficult but edifying days that lie ahead. For Nigeria will succeed in taking its place as the largest nation in Africa only if certain pledges and undertakings, to which Britain has become party over the conference table, are carried out. Our hope of one Nigeria will be realized only if, during the months before independence, the British Government ensures the operation of democratic processes in the Federation and, after independence, continues to be a true friend and collaborator. . . .

"It is the belief of my party, the Action Group, that, in order to weld the diverse peoples of Nigeria and the British Cameroons into a single nation, we must, in addition to our new constitution, have a national political life, with well disciplined and country-wide political organizations. Accordingly, we insisted that fundamental human rights must be written into our constitution and that the control over our police force must be so balanced that it would ensure the people's rights to freedom of speech, assembly and religion. These safeguards have been entrenched in the constitution to our satisfaction. In the period before independence, much of the responsibility of enforcing these rights will devolve on British Officials."

Speaking of his Party's belief that new states must be created he said "the new constitution will allow this matter to come before the people after independence. But we are of the opinion that, if new states are created before independence, the Nigerian venture will have a greater chance of survival than otherwise."

The Times (October 27, 1958) commented: "In two years' time Nigeria will hoist the flag of independence and the largest remaining British colony will join the self-governing members of the Commonwealth. A successful transfer such as this never earns anything like the applause it deserves from those who are otherwise so ready to castigate colonialism, but success it has been. . . .

"The Nigerian leaders have shown much more accommodation than they did in the conference a year ago. Then, disunity seemed likely to retard independence, but this year the desire for a final settlement was great enough to overcome the differences. The fear might be that these have been only shelved. The decision over the creation of new States, for example, accorded neither with the urgings of the Western region, nor with the reluctance of the North even to admit the question. . . . In this and in other matters the recommendations of the Minorities Commission have been followed. The same is true of the Fiscal Commission's recommendations.

"The other problem which threatened to split the conference—the division between federal and regional police powers—has also been solved by striking a point midway between the rival views, with the reasonable proposal that service and standards in the police would be guaranteed at the federal level while giving the regions their own operational authority. Amidst all this apparently easy and generous compromise it is natural to ask whether in shelving the problems of the animosities will later erupt disastrously when Britain is no longer in the chair to urge compromise. . . . The conference in London has taken no decisions that will determine the outlook of the fully independent Federation. It has been concerned only with safeguards and the balancing of power, with preventing people being used for political ends though in the realm of ideology it has written into the constitution a statement of human rights. Such an addition may seem superfluous to British eyes, but we must not overlook the symbolism

of human rights in changing and unstable cultures. The gaps between tribe and nationhood are still great and they will not be bridged in a day, nor by a constitution. If next year's federal elections run as smoothly as the conference has done, the prospects for 1960 in Nigeria will be good indeed."

Sierra Leone

Possibilities of Independence

THE Freetown correspondent of *West Africa* (October 18, 1958) pointed out that now that Guinea was no longer French, Sierra Leone was surrounded by independent countries. "The new People's National Party, led by Mr. Albert Margai, has been established to lead the country to immediate political independence" and M. Sékou Touré's recent assumption of power, despite the threatened loss of French financial assistance, cannot but confirm the P.N.P.'s leaders' resolution. It is believed, moreover, that M. Sékou Touré's example is causing much hard thinking among at least the younger leaders of the S.L.P.P. Dr. Margai's conservatism has in the past weathered other political eruptions and it is probably true to say that in recent years many young, politically thoughtful Sierra Leoneans have come to realize a careful approach to our fundamental political and economic problems was essential. Now, however, almost overnight Guinea has taken all the reins of government into its own hands and young politicians like Dr. Karefa-Smart, Minister of Lands, Mines and Labour, are believed to be particularly conscious of Sierra Leone's continued dependence on the U.K.

"However, despite the belief that Guinea's independence will increase the rate at which Sierra Leone advances along the last stages of the same road, some of our leaders consider that this development is an even greater cause for caution. Fully appreciating the step M. Sékou Touré has taken—they argue that Guinea, even with its enormous resources, will be hard put to maintain the semblance of a steadily developing, peaceful state. If Guinea is eventually successful, all well and good, and Sierra Leone will have benefited from her neighbour's experience, but in the meanwhile, let us avoid such risks."

In a Parliamentary written reply the Colonial Secretary, Mr. A. Lennox-Boyd, said that it was agreed in the recent discussions with a delegation from Sierra Leone that: on present forecasts, the Sierra Leone Government would need to raise an external loan of about £3 millions during 1959–60 and that development should proceed on that assumption. In view of the prevailing uncertainties and the impossibility of looking very far ahead, however, discussions would be resumed next year. The Sierra Leone Government agreed in principle to assume control of military forces on January 1. (*Manchester Guardian*, October 29, 1958.)

Troubles in the Diamond Fields

Police detachments guarding the diamond holdings of the Selection Trust in Sierra Leone have come under heavy attack by gangs armed with machetes, swords and stones. The members of the gangs are suspected to be diggers who have been flooded out of their own alluvial diggings by the recent heavy rains. The Sierra Leone Government expressed its grave concern about the fresh outbreak of disorder. It warned that it will not "tolerate the unconstitutional methods adopted by those instigating lawlessness". The statement promised that provided law and order is maintained by the local inhabitants the Government will be prepared to find a constructive solution for any genuine grievances that are submitted in a constitutional manner. (*Observer*, October 19, 1958.)

Gambia

Constitutional Changes Discussed

ALL the political parties were represented when thirty-five Protectorate Chiefs met in conference with political leaders at Brikama to discuss the future constitution. The parties draw their strength from the town of Bathurst in the colony. They are the Democratic, United, and National Parties and the Muslim Congress. They proposed the expanding of the Legislative Council to twenty-seven seats (of which twenty would be for the Protectorate) and the establishment of nine Ministries. With the ex-

ception of the Muslim Congress they also proposed universal suffrage for the Protectorate.

The Rev. J. C. Faye, Minister of Works and Communications (Democratic), attacked the idea that the chiefs might form a Protectorate Party.

Mr. I. Garba-Jahumpa, Minister of Agriculture (Muslim Congress), stressed the dangers of universal suffrage and supported the chiefs who suggested that it should be restricted to yard owners and their senior wives.

Mr. E. D. Njie (United), criticized the proposal for nine ministers on the grounds of expense. Mr. Foon (National), argued for the enfranchisement of women. Seyfu Tamba Jammen, a former member of Legislative Council, spoke for the chiefs and said, "We are the farmers and you the Bathurst peoples are literates. Literate and illiterate cannot argue. The literate pays little attention to the views of the illiterate or his opinions. . . . At the next elections we want to elect some of our young men who can read and write English and are prepared to travel in the Protectorate and see our work. But at the last elections these people who are Ministers, none came to see our work. I saw nothing done by them to improve our farming methods. None of them knew good farming from bad. We want our own young men who are literate as ministers, who can go into the mud and climb the hills. . . ."

The chiefs proposed to limit the franchise in the Protectorate to every yard-owner and his younger brother, servicemen and ex-servicemen of British origin and all "Kafolou" or village self-help society leaders and their assistants. Moreover, only twelve of the twenty seats for the Protectorate were to be the subject of this limited franchise, the other eight being reserved for chiefs nominated by the chiefs' conference. The proposed nine ministers were to be chosen on the basis of two from the Colony area and Bathurst, one from Kombo St. Mary and six from the Protectorate. The date for new elections should be put off until May 1960 instead of the proposed October 1959.

(At present in the Colony (the area round Bathurst and Kombo St. Mary) the franchise extends to men and women over 25 years of age who are British subjects or British protected persons: in the Protectorate there is indirect election by Divisional Councils and by chiefs. There are twenty-one members in the Legislative Council of whom fourteen are elected—four from the Colony and ten from the Protectorate.)

Michael Crowder commented "The deliberations of the chiefs are in no way binding on the Governor. Nor are the views of the politicians . . . but undoubtedly the views of the chiefs are important because many of them are treaty chiefs. On the other hand, it might be disastrous to take them too seriously. They are thirty-five men, of whom only seven are literate. Few have chiefdoms as large as 10,000 people. Each has an obvious interest in holding back universal suffrage which would give free reign to politicians in the Protectorate. . . ."

"The main danger in the proposals of the chiefs is that they will inevitably perpetuate differences between the Colony and Protectorate—and it would be unthinkable that Ministries should be divided between the two."

He pointed out that in French Senegal, of which Gambia is an ethnic, economic and geographical part, universal adult suffrage is practised. There is much contact across the border, and since the franchise proposed by the Gambia chiefs is likely to last until 1965 it may well be possible for either Senegalese party militants or Bathurst politicians to stir up discontent.

"The desire of both chiefs and politicians for nine Ministries for a territory of 300,000 inhabitants, with an annual revenue of little more than £1½ million is quite unrealistic. The most that could be contemplated would be a Chief Minister and five Ministers. . . . Discussion of ministries leads to the question: Is talk of self-government for the Gambia realistic? Here is this curious territory, depriving Senegal of its finest natural waterway, and living a precarious existence on a groundnut crop tied to the fluctuating prices of the world market. Europe can afford its Monacos and Luxembourgs—West Africa can't.

"On all but emotional grounds immediate integration of Gambia with Senegal suggests itself. The river would export the vast groundnut crop of the hinterland. Bathurst would flourish. The river towns would prosper. There might be money to build roads. It would not be a difficult thing for the general population to accept. There is a saying that every Gambian has a cousin in Senegal. The main opposition comes from the chiefs who would be nothing in a greater Senegambia; the politicians who would be

swamped by their Senegalese counterparts; and the Creole population in Bathurst.

"There is indeed a strong emotional attachment to Britain and its system that is very flattering to the British. But it is probably time that Gambians ceased to think in terms of being British and started to think of themselves as Africans. If the United States of West Africa are ever to materialize, creation of Senegambia would be a good testing ground. The alternatives to integration or federation with Senegal are association with Britain on the proposed Malta pattern, which has so far proved abortive, or to accept Mr. Faye's proposal for federation with Sierra Leone. But this could not solve Gambia's economic problem." (*West Africa*, October 18 and 25, 1957.)

GUINEA

THE Republic of Guinea formerly French Guinea was proclaimed by the President of the territorial assembly on October 1. The assembly then transformed itself into a constituent assembly which is to draw up a constitution for the country. Its work is expected to last a month. The five French members of the Assembly (all members of the R.D.A.) have agreed to continue in the Assembly.

M. Sékou Touré has been elected Prime Minister of the new government, which is a "national" government, and includes two members of the small P.R.A. opposition as well as a former member of the French Sudan Government. M. Sékou Touré himself is also Foreign and Defence Minister. His cabinet has eleven ministers and five secretaries of state. All the ministers in his old cabinet, including its one French member, M. Mignard, have been retained. M. Drame Alioune remains Finance Minister, M. Keita Fodeba is again Minister of the Interior (also responsible for information) and M. Mignard, Minister of Production. The two "opposition" ministers are M. Ibrahim Barry and M. Diawadou Barry III. The former Soudan Minister, who was dismissed from the Sudan Government for campaigning against the constitution is M. Diallo Abdoulaye who becomes Minister of Telecommunications.

The new government has promised to adhere to the principles of the United Nations Charter. Messages of goodwill have been received from many quarters, including Dr. Nkrumah, Dr. Azikiwe, M. Apithy (Prime Minister of Dahomey), President Tubman, Marshal Tito and M. Balafré. Ghana was the first country to give official recognition to Guinea and is to sponsor its membership of U.N.O.; others who have recognized the new state are the U.K., U.S.A., U.S.S.R., the U.A.R., China, East Germany, Ethiopia, North Korea, Tunisia, Iraq, and Albania. (*West Africa*, October 11, 1958.)

The Bureau of the Co-ordinating Committee of R.D.A. resolved that M. Sékou Touré should be excluded from the next meeting of the Committee in view of the fact that the Guinea Section had seriously failed to maintain the Party's principles in "choosing independence in secession" rather than "independence in lasting co-operation with France". (*Inter-afric Presse*, October 1958.)

Subsequently, the Parti Democratique Guinéen (P.D.G.) M. Sékou Touré's party, resigned from the R.D.A. The P.D.G. stated that it is stupefied by M. Houphouët-Boigny's recent declarations which made it clear that he regarded the federal community to be set up under the French constitution as an end in itself and not merely as a stepping stone to full sovereignty and independence for the overseas territories. (*West Africa*, October 25, 1958.)

OTHER AFRICAN TERRITORIES Belgian Africa

National Congolese Movement

A GROUP of African leaders, who presented a petition to the Minister of the Congo and Ruanda-Urundi, M. Petillon, when he visited Leopoldville,

have formed the first African political party in Belgian Congo, Mouvement National Congolais (M.N.C.). In their declaration they say that the Movement's aim is—to collaborate in the political education of the Congolese masses and to train leaders to carry out the public affairs of the country—to obtain swift democratization of the existing consultative institutions—to fight on behalf of the Congolese people to obtain immediately the fundamental freedoms guaranteed by the Charter of the U.N.: freedom of thought, of expression, of the press, of association, of meeting, of religion, of movement and the right to strike for workers—to oppose forcibly all forms of regional separatism, incompatible with the higher interests of the Congo—finally to do everything possible to free the Congo from imperialist colonialism, with a view to obtaining after a reasonable lapse of time and by means of peaceful negotiations, the independence of the country.

The M.N.C. is described as "a specifically African mass movement, open to all Congolese without distinction of opinion or denomination. It rejects disorder, hatred, violence and all misguided nationalism. It will endeavour to maintain among all inhabitants a climate of mutual confidence, reciprocal sympathy and loyal and sincere co-operation over everything which affects common interests. The Movement aims to become Congo-wide. A provisional committee of eleven has been set up."

In their petition to the Minister in August 1958 the group had asked for Africans to be included in a working party which has been set up to make new constitutional proposals for the Congo. This demand has been renewed and the group protest at being called a small and negligible minority of demagogues and add: "Is it necessary to recall that in all countries of the world, it is often a minority which was the origin of political revolutions?" (*Inter-afric Presse*, October 31, 1958.)

M. Petillon, the Minister, speaking in Brussels to the Royal African Circle said: "This precise moment in the history of the Congo called for a united national policy to be defined and put into operation. . . . For this policy to be truly national in character, it was also arranged that the working group should consult with various African representatives, both Native and White, of different interests in the Congo. . . . The Congo has its own existence, and every day shows some new progress born out of law and order. In a world which is troubled by frequent and sometimes bloody conflict, the Congo is thinking seriously about its future. This is quite natural and a sign of its growing maturity, however incoherent and sometimes disconcerting such thoughts may be. This, too, is natural in a young, inexperienced country with no long tradition to guide it. And so the only thing I can do at the present time is to ask people to curb their impatience at this precise juncture when decisions are shaping which—in spite of agitation by a few hotheads—are confidently awaited by the Congo." (*Belgian Congo*, October 1958.)

In the new Belgian Government, a coalition of Christian Socialists and Liberals, M. Petillon¹ was replaced as Minister of Congo and Ruanda-Urundi by M. Van Hemelryck (Christian Socialist). (*The Times*, November 7, 1958.)

John Spicer in the *Rhodesia Herald* (September 19, 1958) pointed out that one of M. Petillon's visits to Leopoldville had coincided with that of General de Gaulle to Brazzaville on the other side of the River Congo. He went on: "Politeness prevents M. Petillon and most senior Belgian officials from commenting on what was happening. But not all could hide their feelings. Some were privately outspoken. . . .

"The Belgians have been steadily following a policy of economic and social advancement first—political advancement later. In the big cities, and in urban industry and African housing their economic advancement and the social services they provide give the Belgians cause for pride. . . .

"The colour bar is breaking down fast, and although a very high cost bar still keeps Blacks out of the swagger hotels, cinemas and pubs, that is all that keeps them out. Black and White children attend many of the same schools. But politically the Belgians have been most cautious and as vigorous as any government in Africa in nipping incipient nationalist and labour movements in the bud. They say quite bluntly that the Black races in the Congo are only just beginning to achieve the knowledge and ability necessary to look after themselves at a civilized standard. . . .

"Political affairs have been handled exclusively from Brussels—the Metropolitan Government—in the past. Now, with the visit of M. Petillon,

¹DIGEST VI, 2.

a new era of decentralization, giving previously unheard of autonomy to administrative and judicial authorities on the spot (the hand of M. Petillon, the old Colonial governor) is foreshadowed. M. Petillon says the Congo is changing from paternal to fraternal government. The Black man is beginning to take his place in the top ranks as he qualifies and the positions fall vacant. . . .

"But the Belgians have insisted throughout that political advancement will come when they think the Congolese are ready for it—and only then. They have made none of the franchise concessions that have appeared elsewhere in Africa."

Problems of Advancement in Ruanda-Urundi

The U.N. Visiting Mission to Trust Territories in East Africa refers in its report to the "important and delicate question" of the relationship between the different ethnic groups in the territory. In both Ruanda and Urundi some 15 per cent of the population are Batutsi, stock-farmers of Hamitic origin who hold power, and 85 per cent are Bahutu, of Bantu origin, who till the soil and who were probably established in the country before the Batutsi, their accepted overlords, arrived; there are also a few Batwa, a pygmy strain of bush hunters or potters who account for less than 1 per cent of the population. These different racial groups live in a symbiotic relationship: the Batutsi, who have a remarkable political and social sense, have brought under subjection—almost, incidentally, without violence—the mass of Bahutu peasantry, introducing alongside the latter's agricultural economy the breeding of long-horned cattle, nomadism and the ascetic habit of those who keep watch over large herds. This civilization has become highly complex with a system of pastoral serfdom or patronage contacts which are based on the cow and determine the whole property system and social organization of the Territory.

Ruanda and Urundi are separate states each with its own king (*Mwami*). The report says that the Belgian administration is anxious to maintain a just balance, and to prevent the feudal oppression and exploitation of the Bantu majority by the Hamitic minority from being re-established in modified form, through too rapid transfer of responsibilities to the indigenous élite, which is still mainly Tutsi; on the other hand, it wishes to prevent the mass from feeling thwarted in realizing its legitimate ambitions because of a slowing down of this evolution. The maintenance of a balance between these tendencies has now reached an especially delicate state. Without minimizing the danger of haste, the Mission believes that over-cautiousness is no less dangerous. It hopes that the Administration may anticipate the needed reforms and introduce them quite soon, as soon as there is a reasonable prospect of their being assimilated, and before they are urgently demanded by the more advanced members of the population. It hopes that the Administering Authority will not underestimate the capacity of the Ruanda-Urundi people to adapt themselves rapidly to conditions of modern living and will not wait until one reform has been elaborately tested before planning the next one.

The Mission publish a *Manifesto of the Bahutu* (the subject majority) which asks for (a) abandonment of the misuse of "respect for the culture and customs of the country" (b) a series of economic and social reforms: (1) the abolition of the customary corvees; (2) the recognition of individual land ownership; (3) the establishment of a rural credit fund; (4) economic union between Belgian Africa and the metropolis; (5) the development of freedom of expression. (c) political reforms: (1) the codification of laws and customs; (2) the actual promotion of Bahutu to public office, in particular through the election of sub-chiefs, chiefs and judges; (3) the abolition of offices held for life; (4) withdrawal of the provincial chiefs from the councils at the chiefdom level; (5) modification of the composition of the High Council of the State, which should henceforth consist of delegations from the chiefdoms in proportion to the number of taxpayers, including Europeans. (d) educational reforms: (1) abandonment of the selection which means in practice that secondary education is confined to Batutsi; (2) supervision of the award of scholarships to ensure that the Bahutu receive equal opportunities; (3) the admission of more students to higher educational institutions in the Belgian Congo, Ruanda-Urundi and Belgium; (4) the improvement of handicraft, vocational and technical training; (5) an increase in the number of social centres in the rural areas.

In short, concludes the Manifesto, the Bahutu agree that the Mututsi

Administration should participate progressively and more effectively in the affairs of the State, but at the same time they urge that the Belgian Administration and the Batutsi should take positive action to bring about the economic and political emancipation of the Muhutu, who should no longer be obliged always to "take second place to the Mututsi".

The Manifesto warns the Government "against a method which, while tending to eliminate White-Black colonialism, would leave a worse colonialism, that of the Hamite over the Muhutu". The Manifesto closes with a declaration that the writers are in no sense revolutionaries but that it is out of a constructive desire to co-operate that they have sought to throw more light on this serious question.

A *Statement of Views* issued by the High Council of Ruanda which is composed solely of Batutsi (the dominant minority) which asks that (a) education should be directed, as a matter of urgency, towards the training of an élite technically capable of participating, as soon as possible, in the direction of the State's affairs. (b) greater participation in the government of the country: the time has come for members of the élite to be trained to manage their own affairs.

It is a mistake not to recognize the political rights of an élite which has sufficient political maturity but has not yet developed sufficient administrative skill. (c) a better directed economic and social policy: economic conditions in the country are generally represented as so discouraging as to give the impression that Ruanda is on the brink of disaster. Federation with the Belgian Congo would perhaps be beneficial, but the question requires careful study. The country must be industrialized and needs foreign capital investment. (d) reducing colour prejudice.

French Africa

Referendum on the Constitution

The full results of the referendum on the new Constitution proposed by General de Gaulle were:

	Registered voters	Actual voters	Yes votes	No votes
Senegal	1,096,854	887,680	863,346	21,786
Guinea	1,044,043	1,012,416	33,784	986,933
Ivory Coast	1,638,017	1,607,558	1,606,752	224
Mauritania	352,366	299,138	280,486	16,991
Sudan	1,840,041	826,171	804,656	19,763
Haute Volta	1,794,580	1,330,024	1,308,298	9,363
Dahomey	771,415	431,017	418,709	9,237
Niger	1,274,454	469,556	358,496	98,773
Moyen Congo	433,259	342,389	339,504	1,962
Gabon	261,682	207,245	190,235	15,229
Oubangui-Chari	622,607	496,662	487,031	6,085
Tchad	1,293,232	769,837	752,314	12,761

As a result French Guinea was the only territory not to accept the Constitution.

Following the Referendum, political leaders in three of French Equatorial Africa's territories, Tchad, Oubangui-Chari and Middle Congo, are reported to have agreed that they should federate. But the Prime Minister of Gabon, M. M'Ba, has said that while agreeing to economic federation with his neighbours, he would prefer Gabon to have direct links with France, and not through the "intermediary of a 'primary' federation of A.E.F.". M. M'Ba is a member of the R.D.A.; so also is M. Gabriel Lisette, Prime Minister of Tchad, who advocates federation of A.E.F.'s four territories. (*West Africa*, October 11, 1958.)

Towards Independence

On his return from negotiations in France, M. Ahmadou Ahidjo, the Prime Minister said in an interview: "The new constitution should establish the pattern of complete internal autonomy for our country. It assures the transference of a number of powers hitherto reserved to the French Republic. The pattern will be laid down, but the details cannot be laid down. . . . Even in the matters reserved to the French Republic, that is defence, currency and foreign relations, we must foresee that the

Cameroons will participate in the decisions taken by France . . . we should prepare to assume in the near future, the rights of an independent state. My mandate has been threefold: to gain recognition of the fact that the Cameroons has opted for independence; to have transferred to the Cameroons all powers relative to the management of internal affairs; to have U.N. Trusteeship continued until the acquisition of independence."

Mr. Ahidjo said that he had always disapproved of the violent and bloody methods used by Um Nyobe. He had held out the hand of friendship to the U.P.C. and offered to collaborate with them, if they renounced violence. He added: "I regret the passion with which certain Cameroonian persist in believing that they hold the monopoly of nationalism." (*Etudes et Documents Camerounais*, September 1958.)

U.P.C. Leader Killed

Ruben Um Nyobe, Secretary-General of the *Union des Populations du Cameroun*—U.P.C.—was killed by Government forces in the Sanaga Province of the French Cameroons. The U.P.C. did not remain affiliated to the R.D.A. after the latter broke with the French Communist Party. Instead the U.P.C. retained its Communist affiliation and was banned in 1955. Unlike the U.P.C.'s President, Dr. Felix Mounie, who has made his headquarters in Paris, M. Nyobe remained in the Cameroons where he took to the underground. The U.P.C. believes in unification of the Cameroons and immediate independence. M. Nyobe, who was born in 1913 and was one of the founder members of the R.D.A., appeared before the U.N. Trusteeship Council four times to demand immediate independence for the Cameroons. Recent attempts by the Prime Minister of the Cameroons to come to terms with the U.P.C. underground failed, and M. Nyobe continued to organize armed attacks in the Sanaga Province. (*West Africa*, September 20, 1958.)

Somali Premier Suspended

M. Mahmoud Harbi, Prime Minister and Minister of Public Works of French Somaliland, has been suspended from office. The suspension was ordered by the French Governor of the territory, M. Maurice Meker. Powerful groups in French Somaliland were seeking M. Harbi's dismissal since the constitutional referendum. Somaliland voted three to one for the Constitution, although the Prime Minister had campaigned for a vote of "No". Several ministers sought to have M. Harbi replaced, but he was confirmed in office by the territorial assembly. Several people were injured in Djibouti, the capital of the territories, during demonstrations by supporters of M. Harbi. (*Manchester Guardian*, October 7, 1958.)

African Woman Minister in Upper Volta

M. Maurice Yameogo has been elected President of the Government of Haute Volta in succession to M. Ouezzin Coulibaly, who died last month. Mme. Ouezzin Coulibaly, his widow, has been appointed Minister for Social Affairs and Labour in the Cabinet. She is the first woman Minister anywhere in West Africa. M. Yameogo was Minister of Commerce in the old Haute Volta Cabinet. The new Cabinet consists again entirely of members of the Rassemblement Démocratique Africain (R.D.A.) Party despite efforts led by the Moro Naba, Emperor of the Mossi, to persuade R.D.A. leaders to form a coalition government with the Haute Volta section of the Parti du Regroupement Africain (P.R.A.). Followers of the Moro Naba demonstrated outside the Territorial Assembly at Ouagadougou in an attempt to delay election of the new government. Their intervention was severely condemned by the Governor, M. Berthet. The Moro Naba, who rules over 2 million Mossi and is one of the most influential chiefs in French Africa, is considered to be trying to reassert the political influence which he largely lost during M. Ouezzin Coulibaly's premiership. (*West Africa*, October 25, 1958.)

Niger Premier Resigns

M. Djibo Bakary has resigned as head of the government of French Niger. This follows repeated demands for his resignation not only from the R.D.A. opposition in Niger but from members of his own P.R.A. party who have left it now in protest against M. Djibo Bakary's "no" campaign in the constitutional referendum. That campaign failed; there was a majority of "yes's", and it has therefore been claimed that M.

Djibo Bakary has lost the confidence of his followers. His resignation this week came just after he attended the Paris meeting of the P.R.A. executive (whose political secretary he is). It is not clear who will succeed M. Djibo Bakary. If, as looks possible, the P.R.A. retains a majority in the legislative assembly, M. Issofou Saidou Djermakoye, who campaigned for "yes", may be chosen. M. Gabriel D'Arbousier's name has been suggested if a coalition is formed. If the R.D.A. succeeds in obtaining a majority, then the most likely candidate for premiership is M. Hamani Diori. (*West Africa*, October 25, 1958.)

End of Trusteeship Recommended for Togoland

The U.N. Trusteeship Council has unanimously recommended to the U.N. General Assembly that French Togoland's Trusteeship status should be ended in 1960. The Council has praised France for having brought Togoland to independence. (*West Africa*, October 25, 1958.)

Mr. Sylvanus Olympio, Prime Minister of the Republic of Togoland, said that a new constitution for an independent Togoland would be worked out and debated by his National Assembly next year. His Government's decision he said, would be submitted to the U.N. General Assembly for approval.

Earlier, M. Bernard Courtnut-Gentille, French Overseas Territorial Minister said that the French Government was preparing to end its trusteeship in Togoland in 1960, giving the territory complete independence. (*Ghana Daily Graphic*, October 3 and 6, 1958.)

In the Trusteeship Council, the French Representative said that the talks between Mr. S. Olympio's Government and General de Gaulle's Government were held in an atmosphere of mutual understanding and co-operation. A joint communiqué confirmed various transfers of powers and fixed 1960 as the date for Togoland's independence. He concluded: "We have fulfilled all our obligations under both the Charter and the Trusteeship Agreement. Peace, good administration, law and order have been assured, fundamental freedoms guaranteed, education developed, economic and social progress stimulated, and democratic institutions established. The people have freely expressed their views on their system of government and their future. The objectives laid down in Article 76(b) of the Charter have been attained. As the Administering Power we say to you 'Togoland is ready'. It is now for the United Nations as the other part to the Trusteeship Agreement to crown the work thus achieved and to join with France in signing the birth certificate of a new nation." (*Trusteeship Council Record*, October 13, 1958.)

General

African War of Words

A SPECIAL correspondent of *The Times* (October 7 and 8, 1958) described the Russian and Egyptian war of words waged in Africa. He said: "Africa until recently has been left remarkably untouched by the cold war, but the signs that the Soviet Government intends to expand its influence south of Egypt into the centre of Africa have been steadily increasing ever since Mr. Khruschev gave a clear lead at the twentieth congress of the Soviet Communist Party in February 1956."

In the research plan of the Institute of Oriental Studies for 1957-60 is a section concerning "The economic situation and the national liberation movement in Africa after the Second World War". Some twenty to thirty-five studies are to be collected on the struggle of the peoples of Nigeria, French West Africa, Uganda, the Belgian Congo, Tunisia, Morocco, and Algeria.

The Director of the Institute, Mr. B. Gafurov, formerly Party Secretary in Tadzhikistan, said, in an interview with *Kommunist Tadzhikstan*, "The significance of Africa has grown immeasurably from the point of view of contemporary world politics and world economics. . . . Africa has been transformed into the last reserve of contemporary imperialism." "Our institute," he added, "is faced with the task of thoroughly investigating the economic, social, and political processes causing the particular features of the crisis of the colonial system in Africa." This work should have significance "both for scientific establishments and State organizations which are engaged in practical activities in the countries of the East".

At the same time the Institute of Ethnography, under the direction of Professor Potekhin, who attended the Accra conference of independent African States in April and who has stayed some six weeks in Ghana, is publishing a series of books on the history, culture and peoples of Africa and courses in African languages are being given at the universities. In the spring of 1958 Moscow radio began broadcasting to Africa in English and French each for fifteen minutes a day and in three different metre bands. The opening announcement on April 19 said: "In the future we plan to broadcast in several of the languages of the African peoples." The article summed up: "On the whole, the Moscow broadcasts seem as intent upon vilifying the West as upon projecting the Soviet Union. They are rather less vituperative than broadcasts from Cairo."

Cairo broadcasts are in Arabic, English, French, Amharic, Swahili, Somali, Luba and a number of other African languages. They include an unofficial nominally underground service, called "The Voice of Free Africa", which is known to come from Cairo. The broadcasts in Swahili and Somali are especially listened to in the Horn of Africa.

Health Service Statistics

Physicians

In Africa south of the Sahara there is one physician for every 10,745 people. This compares with Asia (excluding China) 1 : 4,089; Latin America (excluding Mexico) 1 : 1,619. The total is 13,215 physicians compared with Europe (excluding U.S.S.R.) 405,608; U.S.S.R. 310,186; U.S.A. 207,924.

Nursing Personnel

The total number of nursing personnel amounts to 53,410, two-thirds of which consist of qualified personnel. In comparison, there are 80,000 fully qualified nurses in France, and 159,162 in the United Kingdom, including both qualified and non-qualified personnel. Midwives—out of a total of 18,454 midwives, a very high proportion (84 per cent) are qualified. This figure is comparable to that of midwives in the United Kingdom.

Hospitals

Comparison between the United States of America and Africa south of the Sahara gives a rather similar figure for the total number of hospitals: 6,956 in the U.S.A. as against 6,884 in Africa but the total number of beds is 1,604,408 in the U.S.A. as against only 300,000 in Africa, i.e. one bed for 500 inhabitants. (W.H.O., October 1958.)

Nutritional Deficiencies

The Annual Report of the World Health Organization Director in Africa, Dr. F. C. J. Cambournac, states that babies are close to the accepted height and weight standards, and grow and develop normally until approximately eighteen months, i.e. until the weaning period, when they fall and remain below the average standards until about the age of 18. A similar situation is found in many African countries where the delicate problem of weaning, i.e. passing from breast milk to adult diet generally poor in proteins, especially animal proteins, may lead to many a deficiency state, the more acute symptoms of which are known under the name of Kwashiorkor.

Forty-one per cent of the people examined in the course of the surveys were found to suffer from endemic goitre. There is no district in which the percentage of cases is less than 10 per cent. As endemic goitre is obviously a public health problem in Basutoland, the possibility of introducing iodized salt as a preventive measure is being investigated. Pellagra is one of the most frequent nutritional disorders found. It is due to a deficiency in vitamin PP, often associated with a lack of other vitamins of the B group. Basuto people know it well and call it "lefu la pone" which means the disease of the mealies. It has been found that the worst cases of pellagra occur among those who drink large quantities of fermented beverages, particularly locally brewed beer. Whenever beer was omitted from the diet, considerable improvement and even spontaneous cure without treatment have been observed. (W.H.O. Press, October 1958.)

The Financial Prospect

South Africa

During 1957 the Union's foreign assets fell from £131 to £102 million, but the latter figure was still regarded as adequate. From February 1958,

however, the position began to deteriorate more rapidly, and by the end of May the reserves were down to £72,600,000. In March a credit of \$50 million was obtained from the International Monetary Fund, of which \$25 million was drawn in April. As regards internal measures, the Government, influenced to some extent by the known views of the I.M.F. authorities, decided against any widespread attempts to restrict imports by specific controls. For the rest it was decided to damp down internal activity by a credit squeeze. The fall in foreign reserves appears to have been checked; at the end of August these amounted to about £82 million, showing an increase of some £5 million since the end of May. Although the year has not been a financially easy one for South Africa, the marginal difficulties must not be allowed to obscure the economic strength of the country as a whole and the very real economic progress which is being made: national income is expanding rapidly and most indices of production show progressive rises.

Federation of Rhodesia and Nyasaland

As a result of the price fall, Rhodesian exports of copper in 1957 amounted to only £82,500,000, compared with £113,800,000 in 1956, in spite of an increase of 46,000 tons in the quantity exported. On the other hand, imports of all kinds of goods continued to increase in line with the general expansion of economic activity. There was in consequence a substantial adverse balance of payments in 1957 and Rhodesian sterling balances fell during the year by £46 million, of which £27 million was used in the last quarter. This decline in reserves had to be stopped and the Rhodesian authorities decided to tackle the problem by a restriction of credit.

Much as for the Union of South Africa a caveat must be entered against the impression that Rhodesia's economic future is compromised by present difficulties. These difficulties indeed are partly due to the very high rate of development; in 1957 the Federation invested 43 per cent of its gross national product—a very high figure indeed—and about 18 per cent of the funds involved came from abroad.

British East Africa

Kenya, Uganda, and Tanganyika rely mainly on coffee, cotton and sisal for their export earnings, and these commodities have not been among those most affected by the general price fall. In 1957 aggregate East African exports fell in value by just over 2 per cent, but for the first half of 1958 they show a rise of about 2 per cent over the first half of 1957. Despite this satisfactory maintenance of export earnings, imports into East Africa show a fall of no less than 16 per cent for the first half of 1958 compared with the corresponding period in the previous year.

Now that the financial situation of the United Kingdom has improved and the credit squeeze has been relaxed, it seems that more capital should be available for East Africa. There are also good prospects of raising funds elsewhere. Mr. Eugene Black, President of the International Bank, visited East Africa earlier in the year and was apparently impressed by the prospect of rapid and sustained economic expansion over the decade.

West Africa

In Northern Nigeria the 1957-58 groundnut crop reached record figures.

Other important activities include the search for oil and the new railway to be built in the north. Oil exploration is being carried on jointly by the Shell and B.P. companies. It is estimated that expenditure in 1957 reached £10 million, and great activity continues. Work on the railway extension of some 400 miles from near Jos to Maiduguri is to commence in 1958 and for this and other railway development the International Bank has granted a loan of £28 million.

In Ghana cocoa is, of course, the mainstay of the economy. Export earnings have been maintained by the high world price for cocoa.

The most important project outstanding in Ghana is the Volta River scheme for a dam and hydro-electric power station, primarily to develop the local bauxite deposits. Owing to the uncertain outlook for aluminium, the project has been in abeyance since detailed reports on the project were prepared in 1955. However, the United States Government are now showing some interest. (Times Annual Financial and Commercial Review, October 27, 1958.)

World Assembly of Youth

The World Assembly of Youth met during August in New Delhi, India. Among its resolutions were the following:

Central Africa—W.A.Y. recognizes the fact that federation has been imposed on the indigenous people of Northern Rhodesia, Southern Rhodesia and Nyasaland without respect to their wishes and opinions. . . . Declares that all people in Southern Rhodesia, Northern Rhodesia and Nyasaland should have the right to equal participation in the government of these territories and to the human rights universally recognized as belonging to human beings as defined in the Universal Declaration of Human Rights. . . . Totally condemns the practice of racial discrimination in the three territories. . . . Calls upon the Government of Southern Rhodesia to accept and apply the principle of universal adult suffrage and equal rights for all people in Southern Rhodesia. . . . Calls upon the Government of the United Kingdom to honour its pledges to the Protectorates of Northern Rhodesia and Nyasaland by granting independence to these territories with governments based on non-racial principles and universal adult suffrage.

Kenya—Considering that W.A.Y. recognizes the Universal Declaration of Human Rights as the basis of its action and services. . . . Considering that the Kenya people have not been able to fulfil their aspirations in a peaceful manner because too many means of expression were denied to them. . . . Deems it desirable that a constitution accepted by the people of Kenya be evolved and the draft be made by constitutional experts.

South Africa—Reaffirming its support of the Universal Declaration of Human Rights. . . . Condemns the practice of *apartheid* in the Union of South Africa and gives its fullest support to a system of government for South Africa in which all men shall be equal irrespective of their race, colour, creed, economic or social position and calls upon the government to implement such a policy. . . .

Belgian Congo—Recommends that W.A.Y. sends a commission of inquiry to the Belgian Congo in order to examine and report to the Executive Committee the situation of the Congolese youth.

Cameroons—Demands the immediate cessation of the oppression exercised by the French and British colonial authorities on the young people of the Cameroons who re-assert their right to independence as laid down in the Charter of the United Nations. (*W.A.Y. Review*, September 1958.)

The World Assembly was attended by delegates and observers from over eighty countries. Among the African territories represented were: South Africa, Southern Rhodesia, Northern Rhodesia, Nyasaland, Tanganyika, Kenya, Sierra Leone, Ghana, Sudan, Belgian Congo, Dahomey, French Guinea, Sudan, Niger, Ubangi Shari, Tchad, U.A.R. Tunisia and Algeria. With the exception of Yugoslavia, which sent an observer, no Communist country was represented.

African Bureau in State Department

Mr. Joseph C. Satterthwaite, 58, has been appointed by President Eisenhower to be in charge of a new bureau within the State Department to deal exclusively with affairs concerning the African continent. Mr. Satterthwaite will hold the rank of Assistant Secretary of State. The new bureau will have two sections, one for North Africa covering Morocco, Tunisia, Libya, Ethiopia, French Somaliland, British Somaliland and the Spanish Sahara and a Middle and Southern African Affairs office which will deal with the Union, the Central African Federation, Liberia, French Equatorial Africa, Ghana and French West Africa. It will have a staff of sixty-seven and supervise 274 foreign service Americans and 320 foreign service local employees. (*Star*, August 21, 1958.)

Aid for Education

The Ford Foundation announced that it is to give about \$1 million (£357,000) in aid to Africa—and all the initial grants will go to British and former British territories. Mr. Henry Heald, president of the foundation, said these territories "provide the readiest opportunities for foundation assistance". The initial grants would total \$350,000 (about £125,000) and

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would go to such institutions as the university colleges of Ghana, Nigeria, British East Africa and the Rhodesian Federation. (*The Times*, October 18, 1958.) Professor Frederick R. Wickert of Michigan State University in the course of a six-month tour of Africa "to what extent the American universities can help" said that in the past five years American universities have spent more than £1 million in Africa. "A university is somehow less tainted than government organizations. It becomes obvious that the United Kingdom cannot keep pace with the rate of development in some of its territories, and perhaps United States assistance is the lesser of two evils, to put it bluntly." (*Rhodesia Herald*, September 17, 1958.)

The *Manchester Guardian* (September 24, 1958) welcomed the conclusions of the American Assembly, a non-governmental body, to the effect that "the United States must continue its historic role in furthering the principle of self-determination" and that American policies should stimulate the growth of the institutions and the individual skills needed for viable economic and political systems "by every means appropriate to a Great Power which has no territorial possessions in the area" and added "Economic aid is only one such means; aid in strengthening African technical and higher education and in the training of African teachers is not less important."

U.N. Special Fund

Seventy-six governments of member states of the U.N. and the specialized agencies undertook to contribute a total of approximately \$21 million towards the expenses of the first year of existence of the newly created United Nations Special Fund which is to assist integrated economic development of less-developed countries. The Fund will embark on its activities at the beginning of 1959.

The Fund will have a policy-making eighteen-member governmental Governing Council, a managing director and staff and a consultative board composed of the Secretary-General of the United Nations, the Executive Chairman of the Technical Assistance Board, and the President of the World Bank.

One of the basic aims of the Special Fund is to meet "certain urgent needs" of less developed countries, which at present cannot be met by the Expanded Technical Assistance Programme of the United Nations and the specialized agencies, nor by other existing United Nations programmes. In the resolution creating the Special Fund reference is made to measures which "in particular, would facilitate new capital investments of all types—private and public, national and international—by creating conditions which would make such investments either feasible or more effective".

The Special Fund will concentrate its activities on relatively large projects and in doing this emphasis is to be laid on its work on (1) assisting the integration of technical, economic and social development of the less developed countries and (2) providing "systematic and sustained assistance". The Special Fund is to operate in the following fields: resources (including manpower), industry (including handicrafts and cottage industries), agriculture, transport and communications, building and housing, health, education, statistics, and public administration. More specifically, it is suggested that the resources of the Special Fund be used for surveys, research and training demonstration, including pilot projects. These projects should be assisted by the provision of staff, experts, equipment, supplies and services, as well as the establishment of institutes, demonstration centres, plants or works, and the granting of fellowships.

In the debate, representatives of the industrialized countries pointed out that the General Assembly had "neither buried SUNFED nor made its establishment mandatory" and that the time for the creation of SUNFED was not ripe yet. SUNFED's aim would be to provide long-term loans for capital development. Its target figure was about \$250 million.

The resolution adopting the details of the Special Fund was passed in the General Assembly by seventy-seven votes to none with one abstention (Saudi Arabia). (*U.N. Press Release*, October 21, 1958.)

The Commonwealth Economic Conference

Delegations from South Africa, Ghana, and the Federation of Rhodesia and Nyasaland attended the Commonwealth Economic Conference held at Montreal in September, and Nigeria, Kenya, Tanganyika, Uganda

and Sierra Leone were represented in an advisory capacity to the United Kingdom delegation.

The Conference recognized how important it is that obstacles should not be placed in the way of the export of manufactured goods of the under-developed members of the Commonwealth, and agreed that Commonwealth Governments will give full weight to this consideration whenever decisions are necessary concerning the terms of access of such goods to their markets.

The Conference agreed that care has to be taken in the disposal of surpluses on world markets at non-commercial terms so as not to cause harm to the interests of traditional suppliers. Non-commercial disposal can help to improve the living standards of the less-developed countries. However, such transactions call for adequate consultations so that the interests of all parties may be safeguarded as much as possible.

The Conference discussed the possibility of establishing a new Commonwealth financial institution and agreed that further studies should be undertaken to consider methods of mobilizing resources for Commonwealth development.

The Conference stressed the great importance of more-rapid economic progress in the less-developed countries. All countries undertook to co-operate in this urgent task. This would require more capital, both public and private, more technical assistance, better opportunities for education and increased opportunities for trade.

The United Kingdom announced its intention to make Commonwealth assistance loans from Exchequer funds. The loans to independent Commonwealth countries will be made under the Export Guarantees Act and those to Colonial territories under the Colonial Development and Welfare Acts. Offers of Commonwealth assistance loans already made total over £50 million. The Conference favoured an expansion of the resources and activities of the Commonwealth Development Finance Company, and a number of delegations expressed the willingness of their Governments to contribute to the capital of the Company.

For the Commonwealth areas in Africa, Canada stated it would provide an initial sum of \$500,000 for technical assistance. In addition, Canada indicated that it will continue to provide substantial sums to less-developed countries in the form of loans and grants for Canadian wheat and flour.

In a speech to the Canadian Club at Montreal, the Chancellor of the Exchequer, Mr. D. Heathcoat-Amory said: "Direct private investment is undoubtedly the most important way of providing for overseas development. . . . Until now we have, in the post-war period, allowed only Commonwealth and Colonial Governments to come to the London market for loans, but not subordinate authorities, such as public utility undertakings and so on. We shall, in future, allow the subordinate authorities of such under-developed countries where the need is very urgent to use this facility. But there remains a field where the need for development is great but private capital cannot be attracted—basic services such as road, railways, power and so forth. The International Bank has done a great deal in this field, and we hope that if the bank's resources are expanded they will be able to do much more. But we have decided that we should do something more ourselves, too; and we are initiating a system of Commonwealth economic assistance loans.

"For Independent Commonwealth countries, we are proposing to offer credits under our Export Credit Guarantees Act at the rate of interest at which the United Kingdom itself borrows, plus a management charge of $\frac{1}{4}$ per cent [instead of the present 1 per cent]. This is a major departure of policy for us. We have already made a start and the scale of this operation may be judged from the fact that we have already offered credits in this form to a total of more than \$150 million.

"For the Colonies we are proposing to introduce legislation to provide exchequer loans at the same rates to supplement what they can raise on the market. The mobilizing of this capital at the credit rate of the United Kingdom Government for investment in the overseas Commonwealth is, we feel, a step of very considerable importance and will be recognized as such.

"We have been thinking whether there are other ways in which we can help to stimulate the flow of capital to these countries. Thus far the main source of such capital has, of course, been the United Kingdom. We should

be glad if other Commonwealth Governments could participate too, even those which are not capital-importing countries; in addition to what they may decide to do individually, we have suggested that they might be willing (either through their Central Banks or directly through their Governments) to join in the work of our Commonwealth Development Finance Company, a privately-run organization which assembles development capital from banks and other sources and would like to expand its work in co-operation with individual Commonwealth Development Corporations overseas and with the International Bank." (*Board of Trade Journal*, October 3, 1958.)

BOOK LIST

(Recent acquisitions to the Africa Bureau Library)

SHEPPERSON, George, and PRICE, Thomas. *Independent African*. The story of John Chilembwe and the origins and significance of the Nyasaland National Rising of 1915. Edinburgh University Press. (Price 50s.)

What are the problems of Parliamentary Government in West Africa? The report of a Conference held by the Hansard Society for Parliamentary Government at St. Edmund Hall, Oxford, September 1957, under the chairmanship of Geoffrey de Freitas, M.P. The Hansard Society for Parliamentary Government.

Race Classification in South Africa—Its Effect on Human Beings. A "Fact Paper" published by the S.A. Institute of Race Relations. (Price 2s. 6d.)

HAHN, Lorna. *War in Algeria: is confederation the answer?* A pamphlet published by the American Committee on Africa. (Price 50c.)

Annual Report on the South African Information Service, 1957-58. The Government Printer, Pretoria.

Journal of Racial Affairs, No. 4, July 1958. This issue of the quarterly SABRA Journal contains the Papers read at the Ninth Annual Conference of SABRA held at Stellenbosch, April-May 1958.

Journal of African Law, Vol. 2, No. 2. Edited by A. N. Allott. Three issues a year. Annual subscription 42s. including postage. Single copies 15s. each.

The Lambeth Conference 1958. The Encyclical Letter from the Bishops, together with the Resolutions and Reports. S.P.C.K. and Seabury Press.

de BOER, Hans A. *The Bridge is Love*. Jottings from the notebook of a German Christian's travels on an extensive tour to observe for himself the colour problem in many parts of the world. Foreword by Dr. Martin Niemöller. Marshall, Morgan & Scott. (Price 15s.)

Non-Self-Governing Territories. Summaries of information transmitted to the Secretary-General of the United Nations for 1956-57 covering West, East, Central, and Southern African Territories.

Special Study on Economic Conditions in Non-Self-Governing Territories. United Nations. Analyses of information transmitted to the Secretary-General (1956-57).

JACKMAN, Stuart. *My Friend My Brother*. A play about the tension and fear that has grown up in Southern Africa over the problem of colour. A Broadway Book published by the London Missionary Society. (Price 3s. 6d.)

Huitième Rapport Annuel, 1955. The Administrative Report (in French) of the Institut pour la Recherche Scientifique en Afrique Centrale.

Rhodesia and East Africa. A survey contributed to by, among many others, A. T. Lennox-Boyd, M.P., Viscount Malvern, R. S. Garfield Todd, Lord Twining, and E. A. Vasey, M.L.C.

MASON, Philip. *The Birth of a Dilemma*. The story of the conquest and settlement of Rhodesia. Written by the Director of the Institute of Race Relations, this book deals with the relationship between the highly organized peoples of the West and the rapidly developing nations of Africa and Asia. Oxford University Press. (Price 30s.)

Eastern Nigeria. A Diplomatic Press Survey specially published to mark the occasion of the Nigerian Constitutional Conference in London. (Price 2s. 6d.)

Unesco Courier. Illustrated monthly magazine. (Single issue, price 1s., annual subscription, 10s.) Unesco, Place de Fontenoy, Paris, 7e.

The Editor of the DIGEST does not necessarily endorse the views of correspondents

AFRICA BUREAU ACTIVITIES

THE Rev. Michael Scott attended the thirteenth session of the United Nations where he reported to the Committee on South-West Africa and was subsequently granted a hearing by the Fourth (Trusteeship) Committee. He also preached in New York and made several broadcasts, including one for the C.B.C. and one to Morocco. He also visited Canada where he addressed meetings arranged by the Fellowship of Concern for South Africa, various student groups and at Trinity College.

Miss Mary Benson was one of the speakers at the Scottish Council for African Questions annual conference in Dollarbeg where she spoke on South-West Africa, the High Commission Territories and South Africa. She also addressed meetings in Glasgow, Edinburgh, Aberdeen (where a new Africa Council has been formed) and Bristol.

The Secretary of the Bureau described the activities of St. Faith's Farm to meetings in Coventry and Sevenoaks, where she showed Miss Chrystal Roger's film of the Mukuwapsi Clinic, and on the work of the Africa Bureau to a Friends Seminar Group in Willesden. She also spoke at a Froebel teachers training college.

While on holiday in Denmark and Sweden Miss Symonds met officials of the Danish and Swedish Councils of Nursing. Their readiness to help the Non-European nurses in South Africa who are affected by the Nursing Act of 1957 was most encouraging. The Bureau and some of the African Councils are continuing to do all they can to assist those affected and to get a full understanding amongst nurses in Britain and elsewhere on the implications of the Act which imposes a legal colour bar on the profession in South Africa.

Two new pamphlets have recently been published by the Bureau—*The Constitution and Race Relations in Central Africa* by Faith Raven and *Cairo, Bandung and Accra* by Colin Legum which describes the first conference of Independent African States.

The Africa Bureau held its fourth Annual General Meeting at Caxton Hall on Tuesday, November 25, when the anniversary address was given by Sir Sydney Caine, Principal of the London School of Economics.

